

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3
4 UNITED STATES OF AMERICA

5 VS.

CRIMINAL NO. CCB-08-0586

6 JOHN WESLEY ROBINSON, JR.

7 DEFENDANT

8 Baltimore, Maryland

9 June 12, 2009

10
11
12 The above-entitled case came on for a motions
13 hearing before the Honorable Catherine C. Blake,
14 United States District Judge

15
16
17 A P P E A R A N C E S

18
19 For the Government:

20 Clinton Fuchs, Esquire
21 Christopher Mason, Esquire

22 For the Defendant:

23 Brendan Hurson, Esquire

24
25 Gail A. Simpkins, RPR
Official Court Reporter

P R O C E E D I N G S

THE COURT: If you would call the case.

MR. FUCHS: This is United States versus John Robinson, Criminal Case Number 08-cr-586. This matter is set in for a motions hearing this afternoon. Clint Fuchs and Chris Mason for the United States. With us at counsel table is Dave Azur from the Bureau of Alcohol, Tobacco and Firearms.

THE COURT: All right. Thank you.

MR. HURSON: Good afternoon, Your Honor, Brendan Hurson from the Office of the Federal Public Defender on behalf of Mr. Robinson, who is now standing to my right.

THE COURT: Okay. All right. Well, I know we are here for a motions hearing. I assume there are various witnesses. Unless there is anything preliminary you want to tell me, you can just go ahead and call a witness.

MR. FUCHS: We're ready to proceed, Your Honor.

THE COURT: Okay.

MR. FUCHS: Your Honor, the government calls Officer Eric Oswald.

MR. HURSON: Your Honor, we've sequestered --

THE COURT: Fact witnesses?

MR. HURSON: I brought potential witnesses, and

1 I believe Mr. Fuchs has his witnesses outside as well.

2 THE COURT: Okay.

3 THE CLERK: Please raise your right hand.

4 ERIC HANS OSWALD

5 a witness called on behalf of the Government, having
6 been previously duly sworn, was examined and testified
7 as follows:

8 THE CLERK: Please be seated.

9 Please speak directly into the microphone.

10 State your full name for the record and spell your
11 last name, please.

12 THE WITNESS: Eric Hans Oswald, O S W A L D.

13 THE CLERK: Thank you.

14 THE WITNESS: Yes, ma'am.

15 DIRECT EXAMINATION

16 BY MR. FUCHS:

17 Q Officer Oswald, where do you work?

18 A The Northwest District, sir.

19 Q Do you work for the Baltimore Police Department?

20 A Yes, sir.

21 Q And how long have you been a police officer?

22 A About two years now.

23 Q What's your current assignment?

24 A Patrol.

25 Q And were you working on June 19th of last year?

1 A Yes, sir.

2 Q What shift were you working that day?

3 A 8 a.m. to 4 p.m., sir.

4 Q With whom were you working that day?

5 A Officer Herman.

6 Q And what's his full name?

7 A Matt Herman.

8 Q Were you all in a marked patrol car?

9 A Yes, sir.

10 Q Were you in uniform that day?

11 A Yes, sir.

12 Q And who was driving the car?

13 A I was, sir.

14 Q What was your assignment that date?

15 A We were doing traffic initiative in the area,
16 and we were parked on the 3000 block of Carlisle.

17 Q Okay. Could you explain to the Court what a
18 traffic initiative is?

19 A Just basically going out and targeting people
20 that are doing moving violations.

21 Q Traffic violations?

22 A Yes, sir, traffic violations.

23 Q And you said you were in the 3000 block of --

24 A Carlisle.

25 Q -- Carlisle? Is that in the vicinity of the

1 intersection of Powhatan, Longwood and Carlyle?

2 A Yes, sir.

3 Q Is that in Baltimore City?

4 A Yes, sir.

5 Q About what time did you get to that location?

6 A I don't recall the exact time we stopped there,
7 sir.

8 Q Would you say it was in the morning?

9 A It was in the morning, yes, sir.

10 Q Were you moving or were you in a fixed location?

11 A A fixed location.

12 Q What were the lighting conditions like that
13 morning?

14 A It was daylight, no rain. I've got it was
15 clear.

16 Q Officer, I'm going to show you what has been
17 marked as Government's Exhibit Number 1. Do you
18 recognize that?

19 (Government's Motion Exhibit Number 1 was
20 received.)

21 A Yes, sir.

22 Q And what is it?

23 A That's a blown-up section of Sector 21 or Post
24 21 actually.

25 Q Does it show the area and the vicinity of the

1 intersection of Carlisle, Powhatan and Longwood?

2 A Yes, sir.

3 Q Could you mark on the map where you were that
4 morning?

5 A Just touch it?

6 Q Yes, sir.

7 A (The witness complies.)

8 Q Officer, keep that in mind.

9 Let me show you what has been marked as

10 Government's Exhibit Number 2. Do you recognize that?

11 (Government's Motion Exhibit Number 2 was
12 received.)

13 A Yes, sir.

14 Q And what is that?

15 A That's Carlisle facing Longwood and Powhatan.

16 Q What cardinal direction are you facing or is
17 this picture facing?

18 A We're facing eastbound.

19 Q Would you say this is a fair and accurate
20 representation of what you could see that day?

21 A Yes, sir.

22 Q Would you say that the photographer taking this
23 picture was in the approximate location of where you
24 were located that day?

25 A Yes, sir.

1 Q Can you indicate for the Court where there are
2 stop signs at that intersection?

3 A Yes, sir.

4 Q Now that stop sign that you've indicated there,
5 what direction of traffic does that control?

6 A Northbound going up Longwood, changing to
7 Powhatan.

8 Q Officer, at some point did you observe a red
9 Ford Escort that morning?

10 A Yes, sir.

11 Q About what time was that?

12 A About 10:19 a.m.

13 Q What did you observe the red Escort to do?

14 A It ran right through the stop sign and kept
15 proceeding northbound.

16 Q Officer, I'm going to show you again
17 Government's Exhibit Number 1. If you could, could
18 you trace on that map where you saw that vehicle move,
19 and where it went?

20 A (The witness complies.)

21 Q Thank you. Did you see that red Ford Escort
22 stop at the stop sign?

23 A No, sir.

24 Q Did the Escort slow down?

25 A No, sir.

1 Q Did it make any effort to stop at that stop
2 sign?

3 A No, sir.

4 Q Was the stop sign clear and visible that day?

5 A Yes, sir.

6 Q Was that stop sign controlling the defendant's
7 northbound traffic on Longwood?

8 A Yes, sir, it would have been.

9 Q Officer, I'm going to show you what has been
10 marked as Government's Exhibit 3. Do you recognize
11 that?

12 (Government's Motion Exhibit Number 3 was
13 received.)

14 A Yes, sir.

15 Q What is it?

16 A That's Longwood, going up towards -- changing to
17 Powhatan northbound.

18 Q Is that a fair and accurate representation of
19 the way the intersection of Longwood, Powhatan and
20 Carlisle looked that day as you're facing north on
21 Longwood?

22 A Yes, sir.

23 Q Is it fair to say that that is the view a driver
24 moving north on Longwood would have seen that morning?

25 A Yes, sir.

1 Q At some point that morning did you decide to
2 make a traffic stop of that red Ford Escort?

3 A Yes, sir. As soon as he blew through the stop
4 sign, I activated my lights and sirens, proceeded to
5 catch up to him, pulled him over. It was about the
6 3000 block of Hilton.

7 Q Okay. Showing you again Government's Exhibit
8 Number 1, could you mark on the map where you made
9 that traffic stop?

10 A (The witness complies.)

11 Q Is that roughly --

12 A In the vicinity. Roughly in the area right
13 there, sir.

14 Q Okay. Approximately how far is that from the
15 intersection that you saw it run past the red light --
16 the red stop sign?

17 A You mean from Longwood?

18 Q Yes, sir.

19 A I'm guessing a quarter mile.

20 Q Did the red Ford Escort pull over when you
21 activated your --

22 A Yes, sir.

23 Q Did you approach the car?

24 A Yes, sir.

25 Q How far were you parked away from the red Ford

1 Escort?

2 A Maybe five or six feet.

3 Q And which side of the car did you approach?

4 A I approached the driver's side.

5 Q Did Officer Herman also get out of the car?

6 A Yes, sir.

7 Q Did you see where he went?

8 A He went to the passenger side of the vehicle,
9 sir.

10 Q Was he moving at the same time you were moving?

11 A Yes, sir.

12 Q When you approached the Escort, you said you
13 approached the passenger side. Where exactly did you
14 go?

15 A No, the driver's side, sir.

16 Q The driver's side. Excuse me.
17 Where exactly did you go?

18 A I went right to the right side -- the left side,
19 the driver's side. The pillar is right there. That's
20 when I approached the vehicle and spoke to Mr.
21 Robinson.

22 Q So were you at the front of the door or the rear
23 of the door?

24 A Back off a little bit on it.

25 Q Could you see inside the car?

1 A Just the driver, sir.

2 Q Were the windows tinted at all?

3 A No, sir.

4 Q Could you see if there was anyone else in the
5 car?

6 A There was nobody else in the car. No, sir.

7 Q Could you see the passenger seat from where you
8 were standing?

9 A No, sir, not visibly.

10 Q And what did you do when you spoke to Mr.
11 Robinson?

12 A I asked him for the license and registration of
13 the vehicle. At which point, he lowered the window
14 about maybe an inch. I asked him to kill the cell
15 phone while I was conducting the investigation and my
16 car stop.

17 THE COURT: Slow down.

18 A I asked for his license and registration. I
19 asked him to turn off his cell phone while I conducted
20 my investigation with him. He refused to turn his
21 cell phone off.

22 He finally gave me his license and registration
23 of the vehicle. I asked him who the car belonged to.
24 He stated it was his girlfriend.

25 Q Let's back up, and I apologize.

1 Do you recognize in the courtroom today the man
2 who was driving the red Escort that morning?

3 A The gentleman in the blue, I guess it's dark
4 blue and light blue shirt there, sir.

5 MR. FUCHS: Your Honor, for the record, I note
6 that Officer Herman has identified the defendant, John
7 Robinson.

8 THE COURT: Sure.

9 BY MR. FUCHS:

10 Q Officer Herman, at some point did you run the
11 registration of the car?

12 A No. The system was down that day. We couldn't
13 run, I couldn't run the registration on him.

14 Q You said you spoke to the defendant?

15 A Yes, sir.

16 Q What was his demeanor that morning?

17 A Very fidgety, nervous, you could tell, shaky.

18 Q Did you decide to write him a ticket?

19 A Yes, sir. After I told him why I pulled him
20 over, I said you blew a stop sign, I went back to my
21 vehicle to write the moving violation.

22 Then I came back to the vehicle. I asked him to
23 turn the phone off again, because he still wouldn't
24 get off the cell phone.

25 I asked him to lower his window to sign the

1 ticket. He refused to open the window still at that
2 time.

3 At that time Officer Herman came around from the
4 other side of the vehicle. He told me gun. We both
5 had our weapons out at gunpoint and got the defendant
6 out of the car.

7 Q At what point did Officer Herman tell you there
8 was a gun in the car?

9 A When he came around from the other side.

10 Q Did he shout it out?

11 A He said it loud enough for me to hear it.

12 Q What happened after you removed Mr. Robinson
13 from the car?

14 A After he was removed from the vehicle, he was
15 placed in handcuffs, sat down on the curb.

16 Q And where in relation to his car was he sat
17 down?

18 A He was in between both our vehicles, between the
19 patrol vehicle and his vehicle.

20 Q Did you put him in handcuffs?

21 A I don't recall, sir.

22 Q Did either you or Officer Herman Mirandize him,
23 if you remember?

24 A No, sir.

25 Q Is that no, you don't remember or no, he was not

1 Mirandized.

2 A No, he wasn't Mirandized.

3 Q What happened next?

4 A Officer Herman went into the car, retrieved what
5 was later identified as a Taurus nine millimeter
6 handgun.

7 Q And where were you when Officer Herman was
8 searching the car?

9 A I was with the defendant at the time.

10 Q Did you say anything to him?

11 A No, sir.

12 Q Did you ask him any questions?

13 A No, sir.

14 Q Did you make any threats of any kind?

15 A No, sir.

16 Q Was your weapon drawn at this point?

17 A No, sir. It was holstered up.

18 Q Do you remember Mr. Robinson saying anything?

19 A No, sir, not to me.

20 Q At some point was Mr. Robinson transported from
21 the scene?

22 A Yes, sir.

23 Q When was that?

24 A We called for a wagon, I'm only guesstimating,
25 probably a half an hour time frame.

1 Q When you say half an hour, do you mean half an
2 hour from the time the traffic stop was initiated?

3 A I don't recall, sir, the exact time on it.

4 Q If you could, roughly from start to finish, from
5 the time you saw the red Ford Escort the first time to
6 the time Mr. Robinson was removed from the car, how
7 long would you say that was?

8 A I'm going to estimate 15 minutes.

9 Q From the time Mr. Robinson was removed from the
10 car and the time you saw Officer Herman search the
11 car, how long was that?

12 A Probably no more than ten. Maybe ten minutes.

13 MR. FUCHS: No further question, Your Honor.

14 THE COURT: All right. Mr. Hurson.

15 MR. HURSON: Thank you, Your Honor.

16 CROSS-EXAMINATION

17 BY MR. HURSON:

18 Q Good afternoon, officer.

19 A Good afternoon.

20 Q June 19th, you said you were on patrol? That's
21 correct?

22 A Yes, sir.

23 Q And you were actually sitting. The car was
24 stopped on Carlisle Street?

25 A Yes, sir.

1 Q Right here, is that correct, if you look at the
2 screen, somewhere in that vicinity?

3 A Right about here, sir.

4 Q I've gotcha, a little further down than that.

5 Your unit number that day was 6B25? Is that
6 right?

7 A I believe that was Officer Herman's call sign.
8 I think mine was 6B21.

9 Q 6B21. Can you explain to me what that means,
10 your call sign?

11 A Six is the number of the district, Northwest. B
12 means the baker shift, which is eight to four.
13 Twenty-one is 21 post. That's the designated area
14 that you patrol. Twenty-five is his designated area
15 of patrol.

16 Q So were you both designated to patrol different
17 areas that day?

18 A We were riding together for the traffic
19 initiative.

20 Q And doing both areas?

21 A Yes, sir.

22 Q And you were driving?

23 A Yes, sir.

24 Q It is your testimony that you saw this red Ford
25 Escort blow right through this stop sign without

1 stopping at all?

2 A Yes, sir.

3 Q Now a Statement of Probable Cause was written in
4 this case. I'm putting up on the machine Defendant's
5 Exhibit 1. I can actually bring it up to you if it's
6 easier to see.

7 Did you write this?

8 (Defendant's Motion Exhibit Number 1 was
9 received.)

10 A Officer Herman wrote it.

11 Q Did you have anything to do with writing this at
12 all?

13 A I was with him when he wrote it.

14 Q Were you standing over his shoulder when he
15 wrote it?

16 A I believe so, yes, sir.

17 Q Did you advise him on what to put into this
18 statement?

19 A I don't recall, sir, that.

20 Q Did you correct him at any time when he put
21 something down?

22 A I don't believe so.

23 Q Did you review it before he submitted it?

24 A I probably read it, but he locked it in.

25 Q When you say locked it in, meaning click, send,

1 and put it into the system, so to speak?

2 A Yes, sir.

3 Q Now the time that this vehicle, this red Escort
4 went through the stop sign, that was 10:19 a.m.,
5 correct?

6 A Yes, sir.

7 Q I'm going to show you -- I think I ought to just
8 bring it up to you, if that's okay, Your Honor. This
9 is a ticket. It's Defendant's Exhibit Number 5.

10 (Defendant's Motion Exhibit Number 5 was
11 received.)

12 THE COURT: Do you have another copy?

13 MR. HURSON: I will have a copy for the Court as
14 well, certainly. Do you have a copy of the ticket?

15 THE WITNESS: I have the original if you need
16 it.

17 MR. HURSON: Here's a copy for the Court.

18 THE COURT: Thank you.

19 BY MR. HURSON:

20 Q Now you wrote that ticket, correct?

21 A Yes, sir.

22 Q Now after put your emergency lights on, you said
23 you put them on right after the car went through the
24 stop sign, right?

25 A Well, when it went through the stop sign, we

1 pulled off, activated our lights and sirens and, you
2 know, pursued.

3 Q But the vehicle didn't come to a stop until you
4 come up here to Hilton Street?

5 A That's correct, sir.

6 Q At that point you stop your vehicle and the red
7 Escort is stopped on the right-hand side of the road?

8 A Yes, sir.

9 Q Do you try to run the tag at that point?

10 A We tried to run a tag, but the system was down.

11 Q So you actually are in your vehicle and you
12 radio in the tag number for the Escort?

13 A Yes, sir.

14 Q And then you find out that the system is not
15 working?

16 A Yes, sir.

17 Q How soon after you radioed it in did you find
18 out it wasn't working?

19 A I don't recall the time frame on that, sir.

20 Q But it wasn't very long. It was pretty quick?

21 A I imagine it was.

22 Q Then you exited the vehicle and headed up to the
23 driver's side and now Detective Herman goes to the
24 passenger side?

25 A Yes, sir.

1 Q Now you said that you had asked for the license
2 and registration of the driver, and I think you said
3 that he then rolled down his window?

4 A He cracked his window. I was trying to talk to
5 him, but he was very hesitant as far as my commands
6 go.

7 Q But he handed you his license and registration,
8 correct?

9 A Eventually.

10 Q Eventually? How long?

11 A Within a few minutes probably. He was just
12 being very uncooperative at the time.

13 Q By refusing to hand you his license and
14 registration?

15 A If I recall, sir, yes, plus he wouldn't turn the
16 cell phone off as I was try to do my investigation
17 with him, very --

18 Q I'm sorry to cut you off. So your testimony was
19 he actually was on the cell phone when you first
20 approached the vehicle?

21 A Yes, sir.

22 Q But ultimately he gives you his license and
23 registration, correct?

24 A Yes, sir.

25 Q And you're able to then go back to your car and

1 begin to write out the ticket?

2 A Yes, sir.

3 Q Do you call in the license to check and see if
4 it's valid at that point?

5 A No, because the system was down.

6 Q So the system covers not just license plates.
7 It covers driver's licenses as well?

8 A Yes, sir.

9 Q So you write out the ticket. How long do you
10 take to write out the ticket?

11 A I'm going to guess. Maybe five minutes, maybe.

12 Q What is Detective Herman doing at the point at
13 which you are writing out this ticket?

14 A I believe he is stilling standing outside the
15 right side of the car.

16 Q So he stays up at the car and you go back by
17 yourself?

18 A I believe that's what happens, sir.

19 Q At any point did you see Officer Herman using
20 his personal cell phone to make any calls?

21 A I don't recall.

22 Q You don't recall?

23 A No, sir.

24 Q So you come back up to the vehicle with this
25 ticket. What do you see when you get back up to the

1 car?

2 A The defendant still on his cell phone, the
3 window cracked about an inch still. I asked him to
4 roll his window down. He's still being hesitant. I'm
5 telling him he needs to sign this ticket. He needed
6 to sign the ticket for running a stop sign.

7 Q So did you have the ticket in your hand?

8 A Yes, sir.

9 Q Did you have his license and registration in
10 your hand?

11 A I must have.

12 Q And you tried to hand him the ticket?

13 A I tried to ask him to roll his window down
14 several times, and he wouldn't do it.

15 Q You couldn't slide the ticket through the one
16 inch of the window?

17 A This is not common practice, sir.

18 Q That wasn't my question. My question was do you
19 think you could have done that?

20 A I might have been able to, yes, sir.

21 Q But you wanted him to roll the window all the
22 way down --

23 A Yes, sir.

24 Q -- simply to put his signature on a ticket?

25 A Yes, sir.

1 Q So this ticket that I am showing you, or that
2 you've actually got in front of you -- I'll put this
3 version up here -- all of this top part is all
4 completed. This is completed.

5 When I say -- the time I'm talking about is the
6 point at which you're trying to slide it through the
7 window.

8 The only thing left to be done is for the man
9 you now know to be Mr. Robinson to sign down here at
10 the bottom?

11 A Yes, sir.

12 Q Is he saying anything to you?

13 A I don't recall what he was saying, sir. He just
14 kept saying -- he wouldn't lower the window. He
15 wouldn't get off the cell phone.

16 Q How long does this go on for?

17 A Probably about five minutes.

18 Q So for five minutes you stood at the window of
19 the car asking him to sign the ticket? Five minutes,
20 that's your testimony?

21 A Yes, sir.

22 Q How many times did you ask the question will you
23 sign this?

24 A I don't recall how many times I asked him, sir.
25 He was very fidgety, very uncooperative. That's why

1 it probably lasted longer than it should have.

2 Q Say that again. I'm sorry.

3 A He was very fidgety and uncooperative with me.

4 Q Uncooperative, meaning he wouldn't sign the
5 ticket?

6 A Yes, sir.

7 Q And he remained on his phone the whole time?

8 A Yes, sir.

9 Q Okay. When you write tickets --

10 Do you write a lot of traffic tickets?

11 A My fair share.

12 Q How many do you think you write a day?

13 A I don't go by day. It's maybe one or two a day,
14 maybe. I honestly couldn't tell you.

15 Q Okay. But you've been trained on how to do
16 that, right?

17 A Yes, sir.

18 Q This book that I am holding in my hand, are you
19 familiar with what this is? This is marked Defense
20 Exhibit 16.

21 (Defendant's Motion Exhibit Number 16 was
22 received.)

23 A Yes, sir.

24 Q What is that?

25 A That shows the articles and the payments or must

1 appear in court.

2 Q What does that mean, it shows the articles and
3 payments and must appear? Can you explain to the
4 Court what that means?

5 A Well, the article number, and it tells you what
6 section it is in the book. It tells you what the
7 traffic violation was for, running a stop sign, and
8 what the fee was.

9 Q So if you pulled someone over -- some of these I
10 am sure you have memorized. But the idea is you can
11 turn to the page and it will tell you --

12 A Yes, sir.

13 Q -- what the fine should be, or it will tell you
14 if it's a mandatory appearance offense, correct?

15 A Yes, sir.

16 Q On the front of this Exhibit 16 it says, going
17 down two paragraphs, for some violations of the law
18 set out in this schedule, a defendant may not prepay a
19 fine or penalty deposit, as he or she is required to
20 stand trial. These offenses appear on this schedule
21 with the letters MA. Correct?

22 A Yes, sir.

23 Q In such cases where you see an MA, you should
24 mark the block before the phrase, you must appear for
25 trial when notified by the court.

1 That's what that says, right?

2 A Yes, sir.

3 Q That means that when you have an offense that's
4 a mandatory appearance, if you're looking again at the
5 exhibit, the ticket, that's when you check the box
6 here, right?

7 A Yes, sir. I see that.

8 Q So this ticket, 21-707A, if you turn to page 44,
9 down on the bottom left, you see 21-707A, correct?

10 A Yes, sir.

11 Q It says driver, failure to stop at a stop sign,
12 right?

13 A Yes, sir.

14 Q It does not then say MA, right?

15 A No, sir.

16 Q It says \$90?

17 A Yes, sir.

18 Q That's because failing to run a stop sign isn't
19 a mandatory appearance offense, right?

20 A Correct.

21 Q It doesn't even call for jail time, right?

22 A You're correct.

23 Q It's just a fine?

24 A Yes, sir.

25 Q That's when you checked, and that's probably why

1 you checked pre-payable fine amount, correct?

2 A Yes, sir.

3 Q Now you did, however, check that the defendant
4 must appear for trial when notified by the court. But
5 that's the box to check for mandatory appearances?

6 A Yes, sir.

7 Q And this was not a mandatory appearance offense?

8 A No, sir.

9 Q So you should have checked the other box?

10 A I believe, sir, I checked it because he was
11 arrested for the incident that happened that day.

12 Q He was arrested for the handgun?

13 A Yes, sir.

14 Q Then down below it says arrested, and you wrote
15 that because he had been arrested for the handgun,
16 right?

17 A Yes, sir.

18 Q Because if he had failed to sign it, you would
19 have written failure to sign?

20 A Yes, sir.

21 Q Is that your normal practice when someone fails
22 to sign?

23 A I never had anybody fail to sign it, sir.

24 Q Okay. But you know that failing to sign is
25 actually its own offense, correct?

1 A Yes, sir.

2 Q In fact, if you turn to page 86 of this
3 handbook, down on the left, 26-203, it says refusing
4 to sign a traffic citation after request, right?
5 That's actually a \$130 fine?

6 A Yes, sir.

7 Q But you didn't write a ticket for that, right?

8 A No, sir.

9 Q And he has, Mr. Robinson has never been cited
10 for that?

11 A No, sir.

12 Q I think you said you didn't see the passenger
13 side of the vehicle at all?

14 A No, sir.

15 Q Now Mr. Robinson never gave you, beyond when you
16 say you went to the vehicle -- it's a little bit of a
17 confusing intro, but you never cited him for fleeing
18 and eluding the police, right?

19 A No, sir.

20 Q It's your belief that he stopped in an orderly
21 manner after you put the lights on?

22 A Yes, sir.

23 MR. HURSON: Court's indulgence, Your Honor.

24 THE COURT: Uh-huh.

25 (Pause.)

1 MR. HURSON: No further questions for this
2 witness, Your Honor.

3 THE COURT: All right. Thank you.

4 Any redirect, Mr. Fuchs?

5 MR. FUCHS: No, Your Honor.

6 THE COURT: Thank you, sir. You are excused.

7 MR. FUCHS: Your Honor, the government next
8 calls Officer Matthew Herman.

9 THE COURT: Okay.

10 THE CLERK: Please raise your right hand.

11 MATTHEW HERMAN

12 a witness called on behalf of the Government, having
13 been previously duly sworn, was examined and testified
14 as follows:

15 THE CLERK: Please be seated.

16 Please speak directly into the microphone.
17 State your full name for the record and spell your
18 last name, please.

19 THE WITNESS: Detective Matthew Herman, H E R M
20 A N, Violent Crime Impact Division.

21 THE CLERK: Thank you.

22 DIRECT EXAMINATION

23 BY MR. FUCHS:

24 Q Good afternoon, Detective Herman. Where do you
25 currently work?

1 A Violent Crime Impact Division, Baltimore City
2 Police.

3 Q And how long have you been a police officer?

4 A For six years.

5 Q Were you working on June 19th of 2008?

6 A Yes, I was.

7 Q What was your assignment that day?

8 A At that time I was working the Northwest
9 District, uniform patrol.

10 Q What shift were you working that day?

11 A That day I was working from 7:30 a.m. till 4:30
12 p.m.

13 Q And who were you working with that day?

14 A I was working with Officer Oswald.

15 Q Were you and Officer Oswald in a marked car?

16 A Yes, we were.

17 Q Were you both in uniform?

18 A Yes, we were.

19 Q And who was driving?

20 A Officer Oswald was driving.

21 Q And what was your specific assignment that day?

22 A That day we were running a traffic initiative in
23 reference to a shooting that happened in that area a
24 couple days prior.

25 Q Okay. Could you explain what a traffic

1 initiative is?

2 A A traffic initiative is doing car stops for
3 traffic infractions and repair orders.

4 Q Did there come a time that day when you were in
5 the vicinity of the intersection of Powhatan, Longwood
6 and Carlisle Street?

7 A Yes, there was.

8 Q About what time was that?

9 A That was about 10 a.m.

10 Q Officer Herman, I'm showing you what has been
11 marked as Government's Exhibit Number 1. Do you
12 recognize that?

13 A Yes, I do.

14 Q What is it?

15 A That is a map of the area where we were.

16 Q Do you see on the map the intersection of
17 Powhatan, Longwood and Carlisle?

18 A Yes, I do.

19 Q Sir, could you point on the screen where you
20 were set up that day?

21 A (The witness complies.)

22 Q Were you patrolling around, or were you fixed at
23 that location?

24 A At that time, we were affixed.

25 Q Officer Herman, I'm going to show you what has

1 been marked as Government's Exhibit Number 2. Do you
2 recognize that?

3 A Yes, I do.

4 Q And what is that?

5 A That is the intersection of Powhatan, Longwood,
6 Carlyle.

7 Q What street is that picture taken from?

8 A That is taken from Carlisle.

9 Q Facing in what cardinal direction?

10 A That is facing east.

11 Q Would you say that is a fair and accurate
12 representation of the view you had of that
13 intersection that morning?

14 A Yes, it is.

15 Q Would you say that you were standing, you were
16 parked approximately in the same position as the
17 photographer was standing in this picture?

18 A Approximately, yes.

19 Q Officer Herman, what was the weather like that
20 morning?

21 A It was clear, sunny.

22 Q What were the lighting conditions?

23 A It was daylight.

24 Q At a certain point did you see a red Ford Escort
25 in the vicinity of that intersection?

1 A Yes, I did.

2 Q At about what time was that?

3 A Around 10 a.m.

4 Q And what did you see that car do?

5 A At that time I saw the vehicle pass through the
6 stop sign without stopping.

7 Q Did the vehicle slow down at all?

8 A No, it did not. It kept a constant pace.

9 Q Was the stop sign clear and visible that
10 morning?

11 A Yes, it is. Yes, it was.

12 Q Let me show you what has been marked as
13 Government's Exhibit Number 3. Do you recognize that?

14 A Yes, I do.

15 Q And what is it?

16 A That is the stop sign at the 2700 block of
17 Longwood.

18 Q And what street is the vantage point taken from?

19 A That is from Longwood.

20 Q Is that a fair and accurate representation of
21 the way the stop sign and that intersection looked
22 that morning?

23 A Yes.

24 Q Is it fair to say that that is the view the
25 driver moving north on Longwood would have had that

1 morning?

2 A Yes.

3 Q After you saw the red Ford Escort move through
4 that intersection without stopping, what did you do?

5 A At that time Officer Oswald put the car into
6 drive, and we continued to drive to where the car was.

7 Q Detective, I'm showing you that map of that
8 vicinity again, Government's Exhibit Number 1. Could
9 you draw on the map where you saw the car travel and
10 where it was stopped?

11 A That's where it stopped.

12 Q For the record, the car was traveling north on
13 Longwood, which turned into Powhatan, and then turned
14 onto North Hilton Street, and stopped short of
15 Fairview Avenue?

16 A Yes.

17 Q Once the car stopped, did you make the decision
18 to approach it?

19 A Yes, we did.

20 Q Did you get out of the car?

21 A Yes, I did.

22 Q Which side of the red Ford Escort did you
23 approach?

24 A I approached the passenger side.

25 Q Did you see what Officer Oswald was doing?

1 A Yes. Officer Oswald was approaching the
2 driver's side?

3 Q Was he moving at about the same time you were?

4 A Yes.

5 Q And did you approach the passenger side door of
6 the Ford Escort?

7 A Yes, I did.

8 Q Could you see inside the car?

9 A Yes, I could.

10 Q Approximately how far away from the car would
11 you say you were standing?

12 A I was maybe a couple inches. I was almost
13 leaning against it.

14 Q What part of the door were you parallel to?

15 A The post by the door.

16 Q Is that to the rear of the door or the front of
17 the door?

18 A To the rear of the door.

19 Q Could you see from where you were standing the
20 passenger seat of the Ford Escort?

21 A Yes, I could.

22 Q Could you see the driver from where you were
23 standing?

24 A Yes, I could.

25 Q Could you see anyone else in the car?

1 A There was nobody else.

2 Q Do you recognize here in the courtroom today the
3 person that was driving that red Ford Escort?

4 A Yes, I do.

5 Q Could you point him out?

6 A Sitting to the right of counsel.

7 Q Could you identify a piece of clothing he is
8 wearing?

9 A I'm sorry?

10 Q Could you identify a piece of clothing he is
11 wearing?

12 A A blue polo shirt with stripes, blue and white
13 stripes.

14 MR. FUCHS: Your Honor, for the record.

15 THE COURT: All right.

16 BY MR. HERMAN:

17 Q Officer Herman, were the windows tinted?

18 A No, they were not.

19 Q What happened after you approached the passenger
20 side door?

21 A After I approached the car door, at that time
22 Officer Oswald had run the tags through our dispatcher
23 for a license check.

24 Q Did you see Officer Oswald receive the
25 registration and license?

1 A I did not see him receive it, no.

2 Q And was the registration checked?

3 A Yes, it was.

4 Q What did you learn?

5 A We learned that it came back registered to a
6 female.

7 Q Did you call in the registration or did Officer
8 Oswald?

9 A Officer Oswald did.

10 Q At any time did you talk to the defendant?

11 A No.

12 Q Could you see what he was doing while you were
13 standing next to the passenger side door?

14 A Yes, I could.

15 Q Did you stay at the passenger side door
16 throughout this entire incident?

17 A Yes.

18 Q And what was the defendant doing?

19 A The defendant was talking on a cell phone.

20 Q Did you have a clear view of him?

21 A Yes.

22 Q Did you see him do anything else?

23 A He kept moving back and forth reaching for
24 something, reaching for something on the passenger
25 seat.

1 Q When you say he was moving back and forth, do
2 you mean he was moving his body back and forth or he
3 was moving his hand back and forth?

4 A He was moving his hand, his right hand, right
5 arm.

6 Q Where was he moving it towards?

7 A To the passenger seat.

8 Q Was there anything on the passenger seat?

9 A Yes. There was a black book bag.

10 Q Could you describe it?

11 A It was a black fabric book bag.

12 Q About how large would you say it was?

13 A I'm sorry?

14 Q How large would you say it was?

15 A Maybe a foot and a half by foot.

16 Q And how was it positioned on the passenger seat?

17 A The top of the bag was facing the driver, and it
18 was facing face up.

19 Q Was the bag open or closed?

20 A It was closed.

21 Q So could you see inside any part of the bag?

22 A No.

23 Q Could you see what was underneath the bag at
24 that point?

25 A No.

1 Q Was there anything else on the passenger seat?

2 A No.

3 Q Did there come a time when the defendant reached
4 for the bag and you saw something else?

5 A At a later point, yes.

6 Q What did you see?

7 A When he reached for the bag, he grabbed the top
8 of the bag, and when he grabbed it, he lifted it just
9 a little bit and the bag moved back. At that point I
10 saw the bottom end of a handgun.

11 Q At what point did you see this handgun? What
12 was happening at this same time?

13 A At that time Officer Oswald was talking to him
14 on the other side.

15 Q Was this the point where Officer Oswald was
16 trying to give him a ticket to sign?

17 A Yes, it was.

18 Q You said you saw the butt end of a handgun under
19 the bag?

20 A Yes.

21 Q Was the handgun lying on the passenger seat?

22 A Yes, it was.

23 Q Was it clearly recognizable as the bottom end of
24 the handgun?

25 A Yes, it was.

1 Q What did you do next?

2 A At that time I removed myself from the passenger
3 side and made my way to the driver's side, where I
4 observed or I told Officer Oswald gun. At which time,
5 we pulled our guns out and told the defendant to get
6 out of the car at gunpoint.

7 Q Okay. Did the defendant comply?

8 A Yes, he did.

9 Q What happened next?

10 A At that time he got out of the car and he was
11 placed in handcuffs.

12 Q Do you remember who put him in handcuffs?

13 A I believe Officer Oswald did.

14 Q And where did the defendant go?

15 A The defendant --

16 Q Where did you put him?

17 A I'm sorry?

18 Q Where did you put the defendant?

19 A At that time the defendant was moved to the rear
20 of his car and was sat on the curb.

21 Q Did you search it?

22 A Yes, we did.

23 Q What did you find?

24 A At that time, in his right rear pocket we found
25 two gel caps containing suspected heroin.

1 Q Was he in handcuffs this entire time?

2 A Yes.

3 Q At some point did you search the car?

4 A Yes, I did.

5 Q What did you find?

6 A At that time I immediately went to the passenger
7 seat and I pulled out a Taurus nine millimeter
8 handgun.

9 Q Where did you find that pistol?

10 A Right underneath backpack.

11 Q Was that the same pistol you had seen previously?

12 A Yes, it was.

13 Q And from where did you search the car?

14 A I searched it from the driver's side.

15 Q Did you search any other part or the car?

16 A I searched the passenger's side and the driver's
17 side.

18 Q Did you find anything else?

19 A No, I did not.

20 Q Did you search the black book bag?

21 A Yes, I did.

22 Q Did you find anything?

23 A No, there was nothing in it.

24 Q Did you determine whether the handgun was
25 loaded?

1 A Yes, I did.

2 Q And what was your determination?

3 A There was one round in the barrel, and I can't
4 remember how many were in the clip.

5 Q Is it fair to say it was loaded?

6 A Yes.

7 Q Where was the defendant while you were searching
8 the car?

9 A He was sitting behind the car on the curb.

10 Q Did you Mirandize him at any point?

11 A No, I did not.

12 Q Did you hear Officer Oswald Mirandize him at any
13 point?

14 A I did not hear him, no.

15 Q Did you say anything to him at any point?

16 A No, I did not.

17 Q Did you ask him any questions about the gun
18 after you recovered it?

19 A No, I did not.

20 Q And why not?

21 A At that point it was our job to bring the
22 defendant back to the district where our District
23 Detective Unit was going to interview him.

24 Q Is it standard operating procedure for you not
25 to interview the defendant?

1 A Yes.

2 Q Did you make any threats to the defendant?

3 A No, I did not.

4 Q Did you promise him anything?

5 A No, I did not.

6 Q At the time that he was in handcuffs sitting on
7 the curb while you were searching the car, was your
8 weapon out?

9 A When he was sitting on the curb, no.

10 Q Did you see if Officer Oswald had his weapon
11 out?

12 A He did not have his weapon out.

13 Q Did you hear the defendant make any statements
14 at anytime?

15 A Yes, I did.

16 Q What did he say?

17 A When I walked past him, he stated that oh, I
18 found that in the garage can.

19 Q When you say you walked past him, when was this?

20 A It was after I had recovered the handgun and
21 cleared it, and I was walking past him to secure the
22 weapon in our patrol car.

23 Q Were you showing him the gun?

24 A No, I was not. It was in my hand.

25 Q Were you talking to him at anytime?

1 A No, I did not.

2 Q Did the defendant at any point appear to be
3 under the influence of alcohol or drugs?

4 A No.

5 Q Did he appear to have a clear mind?

6 A It seemed so, yes.

7 MR. FUCHS: No further questions, Your Honor.

8 THE COURT: All right. Thank you.

9 Mr. Hurson.

10 MR. HURSON: Thank you, Your Honor.

11 Your Honor, may I approach?

12 THE COURT: Sure.

13 CROSS-EXAMINATION

14 BY MR. HURSON:

15 Q These are the two reports. I'm showing you
16 Defense 1 and 2.

17 (Defendant's Motion Exhibit Number 2 was
18 received.)

19 MR. HURSON: I actually stapled all the exhibits
20 that I might admit. I'll just give them to you.

21 THE COURT: Okay. Thank you.

22 MR. HURSON: They are in order.

23 BY MR. HURSON:

24 Q Detective Herman, at the time this happened you
25 were not a detective; is that correct?

1 A No, I was not.

2 Q Drawing your attention to Defense Exhibit 1
3 that's in front of you, this is a Statement of
4 Probable Cause, right?

5 A Yes, it is.

6 Q And you wrote this?

7 A Yes, I did.

8 Q You typed this out?

9 A Yes, I did.

10 Q When did you type it out?

11 A That day, at approximately 1:30.

12 Q Right there in the middle of it, it's kind of
13 hard to read, but it says Statement of Probable Cause,
14 correct?

15 A Yes, it does.

16 Q Then underneath of it, like an eye exam, it has
17 got smaller letters, right?

18 A Yes.

19 Q Then under that it has go even smaller letters
20 saying make a plain, concise and definitive statement
21 of essential facts constituting the offense charged,
22 correct?

23 A Yes.

24 Q And that's what you did?

25 A Yes, I did.

1 Q You wrote this out because you had been trained
2 to fill this out, right?

3 A Yes, I did.

4 Q And you know how important these are?

5 A Yes.

6 Q Defense Exhibit 2 is an Incident Report,
7 correct?

8 A Yes, it is.

9 Q And you wrote that too?

10 A Yes, I did.

11 Q You cut and pasted probably what you had written
12 for the other one?

13 A Yes, I did.

14 Q Which one did you do first?

15 A At first I did the Statement of Probable Cause.

16 Q Then you cut and pasted that material into
17 Exhibit 2?

18 A Yes.

19 Q The same thing with Exhibit 2, there's a
20 discussion of what you are supposed to put in it
21 that's really small. But suffice to say, you're
22 supposed to put the most important information in this
23 as well, correct?

24 A Yes, sir.

25 Q But at no point did you ever put any mention

1 whatsoever that Mr. Robinson had made a statement
2 exclaiming ownership of the weapon, did you?

3 A No, I did not.

4 Q Not in Exhibit 1, not in the Statement of
5 Probable Cause?

6 A No, I did not.

7 Q And not in the Incident Report?

8 A No.

9 Q Now you said before that you think this car ran
10 the stop sign at about 10 o'clock a.m., correct?

11 A Around 10 a.m., yes.

12 Q In this Statement of Probable Cause you actually
13 wrote 10:19 hours, right?

14 A Yes, I did.

15 Q Is that a more accurate reflection of when the
16 car ran the light or, excuse me, the stop sign?

17 A About that time, yes.

18 Q So is it about 10 or is it about 10:19?

19 A About 10:19.

20 Q Okay. Now when you got to the vehicle, the red
21 Escort --

22 And you actually said it just blew the stop
23 sign, correct?

24 A Yes.

25 Q And immediately the emergency lights were

1 activated on your vehicle?

2 A After he ran it, we activated our lights.

3 Q Then he pulled over up actually on Hilton
4 Street, correct?

5 A Yes.

6 Q Did you try to run the tags of the vehicle at
7 that time?

8 A Yes, Officer Oswald did.

9 Q And how did he do that?

10 A Through a dispatcher on our radio.

11 Q Through a dispatcher?

12 A Yes.

13 Q Who is the dispatcher?

14 A It's the person on other end of the radio who
15 runs our information when we give it to them.

16 Q So Officer Oswald attempted to give information
17 about the license plate of the vehicle?

18 A Yes, he did.

19 Q And what happened?

20 A At that time, I believe at that time the system
21 was down.

22 Q But you testified earlier that you were later
23 able to verify the registration and the license,
24 correct?

25 A Yes. Later on we were able to verify it.

1 Q And both were valid?

2 A Yes.

3 Q How long did it take for you to do that?

4 A From the time we stopped him until we got back
5 to the station. So maybe an hour.

6 Q So you didn't run the license and registration
7 till you were back at the station?

8 A No. We attempted to, and I called what we call
9 our hot desk, which can run information for us if the
10 system is down.

11 Q So when did you call the hot desk?

12 A When we found out the system was down, Officer
13 Oswald approached me. After he had the license, the
14 defendant's license, he approached me on the passenger
15 side. At that time he handed me the license.

16 Q So Officer Oswald actually walked around the
17 Escort, handed you the license?

18 A Yes, he did.

19 Q Did he hand you the registration?

20 A No, he did not.

21 Q Why not? Do you know?

22 A At that time we wanted to run the driver. That
23 was the most important thing to us.

24 Q Okay. This is pretty soon after you both
25 approached the vehicle?

1 A Yes.

2 Q So maybe within five minutes of the stop itself?

3 A Approximately.

4 Q I'm going to show you Exhibit 4. Do you know
5 what a CAD sheet is?

6 (Defendant's Motion Exhibit Number 4 was
7 received.)

8 A Yes, I do.

9 Q What is it?

10 A A CAD sheet logs what we do throughout the day.

11 Q And by we, you mean officers?

12 A Yes, sir.

13 Q In front of you is Exhibit 4, correct?

14 A Yes.

15 Q And that's a CAD sheet?

16 A Yes, it is.

17 Q At the top there's a couple lines here. The
18 first, it says initiate.

19 A Yes.

20 Q What does that mean?

21 A It means what time we call the dispatcher on the
22 radio.

23 Q It says here 09:37:25, correct?

24 A Yes.

25 Q Then if you go down a little bit, it says

1 09:37:25. I guess I should just show you what I'm
2 pointing to.

3 Right here, 09:37:25 TFC-STOP, correct?

4 A Yes, sir.

5 Q And that would indicate a traffic stop, right?

6 A Yes.

7 Q That's the traffic stop in this case, isn't it?

8 A I don't believe so. We were running a traffic
9 initiative. We did many car stops that day.

10 Q So your testimony is you stopped another car
11 before this?

12 A Possibly. I can't remember. It was over a year
13 ago.

14 Q Now up at the top here it says case number,
15 correct?

16 A Yes, it is.

17 Q What is the case number there?

18 A That would be the central complaint number.

19 Q What does it say?

20 A 08 Frank 09887.

21 Q Then turning to Defendant's Exhibit 1,
22 underneath where it says Statement of Probable Cause,
23 and underneath the eye exam, it says central complaint
24 number, correct?

25 A Yes.

1 Q What number does it say there?

2 A 086 Frank 09887.

3 Q That's almost identical to the number on the CAD
4 sheet, right?

5 A Yes, it is.

6 Q The six actually that's added between the eight
7 and the F, that indicates Northwest District?

8 A Yes, it does.

9 Q So are you saying that this Statement of
10 Probable Cause does not attach, does not depict what's
11 here in this CAD sheet?

12 A It certainly does.

13 Q So that means that the stop in this case would
14 have been initiated at 9:37?

15 A No, it does not. It would just mean that the
16 dispatcher might not have cleared us from our previous
17 stop.

18 Q Okay. The dispatcher may not have cleared you
19 from your previous stop?

20 A Yes.

21 Q What does that mean?

22 A That means when we call 10-8 after leaving a
23 traffic stop, the dispatcher, sometimes they either
24 forget or they are doing something else and they don't
25 put us in the computer as back in service.

1 Q Okay. So what was that previous stop at 9:37?

2 A A traffic stop.

3 Q Tell me about it.

4 A I can't remember. It was over a year ago.

5 Q But you can remember this case?

6 A Yes, I can. This one sticks out.

7 Q Okay. Now down here -- again I'm on Exhibit
8 4 -- 09:37, 6B25, and there's Herman, Matthew. That's
9 you, correct?

10 A Yes.

11 Q So that's saying that you actually responded to
12 what you're saying is another incident, correct?

13 A Yes.

14 Q Then underneath that there's a bit of a gap and
15 it says 10:23:58?

16 A Yes.

17 Q PDNW MISC. What does that mean, MISC?

18 A Miscellaneous.

19 Q That's at 10:23, 6B25, which means your unit
20 number, or Officer Oswald's unit number?

21 A That would be my unit number.

22 Q So you were 6B25?

23 A Yes, I was.

24 Q So what does this line indicate?

25 A That indicates that on 10:23 I was attempting to

1 run something on the radio.

2 Q Okay. And what were you attempting to run?

3 A At that time we were attempting to run, I
4 believe it was a license.

5 Q What makes you say that?

6 A Because Officer Oswald attempted to run the
7 tags. I attempted to run the license.

8 Q So what is it on this line that shows you that
9 you were trying to run a license?

10 A It doesn't say it there, but that's dispatch
11 error, not mine.

12 Q That's somebody else's error?

13 A Dispatch error, yes.

14 Q Down here at 10:24:30, it says NEWLOC and then
15 has this address at West Cold Spring. What is that
16 about?

17 A That was not us. That might have been another
18 unit.

19 Q Then down here at the bottom, we are back with
20 10:26 PDNW BACK-ENR 6B25 6B21.

21 That's you and Oswald, right?

22 A Yes, it is.

23 Q So what is that line saying?

24 A It says back en route, but I --

25 Q What does that mean?

1 A I have no idea.

2 Q You don't know what back en route means?

3 A No, because we were stationary, on a car stop.

4 Q But tell me, what does it mean in police lingo?

5 A Back en route? I would take it it means
6 somebody is coming to back us up.

7 Q So at 10:26, you think it means somebody is
8 coming to back you up?

9 A That's what it says, but that's not what we
10 called for.

11 Q Okay. Then the next line, where it says
12 10:26:10 PERSID or P E R S I D, what does that mean?

13 A He's trying to run the ID, Mr. Oswald.

14 Q At 10:26 he's trying to run someone's ID?

15 A Yes.

16 Q Now below that obviously is more information
17 that seems pertinent to this case. Fairview Avenue
18 and Hilton, that's at 10:26:19, right?

19 A That's what it says, yes.

20 Q What does that mean?

21 A That 10:26, it says our new location is Fairview
22 and Hilton. From my perspective, it looks as if the
23 dispatcher could not get our location right.

24 Q It looks like the dispatcher got your location
25 wrong?

1 A She did. She asked several times over the radio
2 what our location was, and she could not get it right.

3 Q So you remember a dialogue between you and the
4 dispatch?

5 A Yes. She asked me several times our location,
6 and she couldn't get it right.

7 Q Then down below it says PSU2 ASSN-TOW. What
8 does that mean?

9 A It looks like a tow was assigned.

10 Q At 10:26:22, they're sending a tow truck
11 somewhere?

12 A That's what it says, yes.

13 Q They're sending a tow truck to where you are?

14 A I believe so. It does not say there.

15 Q But you guys did request a tow truck, correct?

16 A We did eventually, yes.

17 Q Then at 10:28:06, it says that this case number
18 is assigned, right?

19 A Yes.

20 Q And XN means you've got to write a report or
21 something; is that right?

22 A Yes, sir.

23 Q So at 10:28, a case number is assigned?

24 A Yes.

25 Q What does that mean?

1 A It means that a report will be written.

2 Q So it means that somebody radioed in that
3 something has happened?

4 A It means that I called in to get a report number
5 for an incident.

6 Q Okay. And that happened at 10:26?

7 A That's what it says on here.

8 Q Do you remember when you radioed in?

9 A No. I didn't have a watch on me.

10 Q Then at 12:26, it says change location 6B25 HQE.
11 What does that mean?

12 A That would be Headquarters Building.

13 Q So it means you're changing your location to go
14 back to headquarters?

15 A Not to go back to headquarters, to go to
16 headquarters.

17 Q Okay. To go to headquarters?

18 A Yes.

19 Q That's what that means?

20 A Yes.

21 Q So between 10:28 and 12:26, does that mean you
22 were just sitting at Hilton and Fairview?

23 A No. At that time the defendant was transported
24 to the station to talk with the District Detective
25 Unit while we packaged up the gun and wrote the proper

1 forms to submit it to our Evidence Control Unit.

2 Q And where did you write all of that?

3 A At the Northwest District.

4 Q So back up here at the top, where it says CLEAR:
5 16:14:03, what does that mean?

6 A That would mean what time we totally cleared the
7 incident.

8 Q Okay. So where it says clear, that refers to
9 this incident. But where it says initiate, you're
10 saying that does not?

11 A That's what I'm saying. I know what time we
12 initiated the stop.

13 Q You know what?

14 A It's a computer error, a dispatch error, because
15 we know what time we initiated the stop.

16 Q And that would be 10:19?

17 A Approximately 10:19, yes.

18 Q Now when you walked up to the right side of the
19 vehicle, could you see the driver?

20 A Yes, I could.

21 Q And what was he doing?

22 A He was fidgeting around, moving around, talking
23 on the cell phone.

24 Q So he was on the phone the very first time you
25 walked up to the car?

1 A From the time we approached it till the time he
2 got out.

3 Q Was the window, the passenger side window up or
4 down?

5 A It was up.

6 Q Where is this backpack?

7 A It is laying on the front passenger seat.

8 Q No. I mean physically, where is it located
9 right now?

10 A I would think it's still in the car. I have no
11 idea.

12 Q So you're saying you didn't seize this as
13 evidence?

14 A No, because the gun was not located in the bag.

15 Q So you just left this in the car?

16 A Yes, I did.

17 Q At any point that morning between the time that
18 you stopped the Escort and the time that you say you
19 recovered this gun, did you use your personal cell
20 phone to make any calls?

21 A Yes, I did.

22 Q Who did you call?

23 A At that time I was calling our hot desk to run
24 the defendant's license information.

25 Q So that's how you managed to check everything,

1 using your personal cell phone?

2 A Yes, I did, while standing next to the passenger
3 door.

4 Q But you did that up at the Escort?

5 A Yes, I did, right at the window.

6 Q And at some point are you at the passenger
7 window by yourself?

8 A Yes, I am.

9 Q That's because Officer Oswald is where?

10 A I believe he went back to write a ticket.

11 Q Did you actually see him come back with a
12 ticket?

13 A Yes, I did.

14 Q Did you see him trying to get this ticket
15 signed?

16 A Yes, I did.

17 Q Did he at any point try to squeeze the ticket
18 through the window?

19 A I could not see.

20 Q You couldn't see that?

21 A No, I could not.

22 Q But you wrote in your report pretty detailed
23 that Officer Oswald asked the defendant to roll down
24 his window, and the defendant rolled it down
25 approximately one inch.

1 Is that based on what you were told?

2 A No. I saw that when I was looking in the window
3 from the passenger side.

4 Q Okay. There was no trouble getting the driver's
5 license or registration?

6 A No. He slipped it through the one inch gap in
7 the window.

8 Q How long did Officer Oswald take to try to get
9 Mr. Robinson to sign this ticket, in your view?

10 A They, I would take it, had a dialogue for maybe
11 five minutes or so.

12 Q So you're only a couple feet away, right?

13 A Yes.

14 Q And what did this dialogue sound like to you?

15 A I just heard Officer Oswald kept stating put
16 down the window, and the defendant, when I was
17 watching the defendant, he just kept talking on his
18 phone.

19 Q So for five minutes Officer Oswald said put down
20 the window?

21 A Yes, he did.

22 Q Did he just keep saying it, put down the window,
23 put down the window, put down the window?

24 A He asked every couple of seconds can you please
25 put down the window, and that's all I heard. I know

1 he said other things, but I could not hear it.

2 Q And that goes for five minutes?

3 A Approximately five minutes.

4 Q Did you ever hear Mr. Robinson refuse to sign
5 the ticket?

6 A No.

7 Q Did you take any photographs of the vehicle out
8 there?

9 A No, we did not.

10 Q Did you take any pictures of the bag?

11 A No, I did not.

12 Q Did you take any pictures of the gun?

13 A It was submitted with the gun case folder.

14 Q But did you take any pictures of it?

15 A Not at the scene, no.

16 Q Did you call for Evidence Control to come out
17 and process anything?

18 A No. They would not come out to process the car
19 for that.

20 Q So you didn't call for them?

21 A For our crime lab?

22 Q Anybody.

23 A No, we didn't.

24 Q You just did it yourself?

25 A Yes. That's standard procedure.

1 Q This case was originally a state court case,
2 right?

3 A Yes, it was.

4 Q You spoke with the State's Attorney, Andrew
5 Kowalczyk, about the case?

6 A I don't recall.

7 Q You don't ever recall talking to the State's
8 Attorney about it?

9 A I don't recall. I talked to many attorneys over
10 the past year.

11 Q Right. But you said this case sticks out in
12 your mind, so you would presumably remember that. You
13 don't?

14 A I remember the case, but I don't remember
15 talking with an attorney.

16 Q So if the State's Attorney provided a packet of
17 information on the case in which the State's Attorney
18 represented that Mr. Robinson never made any
19 statements at all, the State's Attorney would be
20 incorrect?

21 A I would think so, yes. Mr. Robinson never made
22 any statements to myself.

23 Q No, he never made any statements?

24 A The only statement he made was the one he said,
25 but I never initiated a conversation with him.

1 Q So you're saying you never had any discussion
2 with him. He just --

3 A I never said one word to him.

4 Q And that's why you didn't write it down?

5 A At that time I had a lot of things running
6 through my head, and it slipped out of my mind. It
7 was an error.

8 Q Now on the, before I forget, on the second page
9 of the CAD sheet there, where it says 12:43:26 --

10 A Yes.

11 Q -- change location, 300 East Madison Street --

12 A Yes.

13 Q -- is that when, indicating taking Mr. Robinson
14 over to Central Booking?

15 A Somebody did. I did not.

16 Q You didn't actually do that?

17 A No, I did not.

18 Q At any time did any other officers respond to
19 the scene?

20 A Yes.

21 Q Who responded?

22 A At the end of the incident, Officer Gillig
23 responded to the scene.

24 Q Gilly?

25 A Gillig.

1 Q How do you spell that?

2 A G I L L I G.

3 Q So Andrew Gillig right here?

4 A Yes.

5 Q Anybody else?

6 A No, that was it.

7 Q Do you have any video capabilities in your
8 cruiser?

9 A No, we did not.

10 Q No camera?

11 A No.

12 Q Did any civilians respond to the scene? Did
13 anybody come up and talk to you?

14 A Not at the scene, no.

15 Q But somewhere else?

16 A At the station.

17 Q Who was that?

18 A At the station, a female came and she identified
19 herself as the owner of the car.

20 Q And did you have a conversation with her?

21 A No, I did not.

22 MR. HURSON: That's all, Your Honor.

23 THE COURT: All right. Any redirect?

24 MR. FUCHS: Very briefly, Your Honor.

25 REDIRECT EXAMINATION

1 BY MR. FUCHS:

2 Q Detective Herman, did you prepare the CAD sheet
3 in this case?

4 A No, I did not.

5 Q Did you review it at anytime?

6 A No, I did not.

7 Q Have you ever seen it before today?

8 A No, I didn't.

9 MR. FUCHS: No further questions, Your Honor.

10 THE COURT: Okay. Thank you. You can step
11 down.

12 THE WITNESS: Thank you.

13 MR. FUCHS: No further witnesses, Your Honor.

14 THE COURT: All right. Mr. Hurson, would you be
15 planning to present any evidence, call any witnesses?

16 MR. HURSON: If I could have one moment, Your
17 Honor.

18 THE COURT: Sure. We'll just take a five-minute
19 break.

20 MR. HURSON: Oh, that would be great. Thank you
21 very much.

22 THE COURT: Sure.

23 (A recess was taken.)

24 THE COURT: All right. Mr. Hurson.

25 MR. HURSON: Your Honor, the defense is going to

1 call Mr. John Robinson, the defendant.

2 THE COURT: Okay. Would you like to advise him?

3 MR. HURSON: I have spoken to Mr. Robinson that
4 he has the right to testify here, he has the right not
5 to. Anything he says here, I have informed him,
6 cannot be used against him in the case in chief of the
7 government at trial. However, it could be used
8 against him if he were to testify at trial for
9 impeachment purposes.

10 He is aware of this and would still like to tell
11 his story.

12 THE COURT: That's absolutely fine.

13 THE CLERK: Please raise your right hand.

14 JOHN WESLEY ROBINSON, JR.

15 the Defendant, having been previously duly sworn, was
16 examined and testified as follows:

17 THE CLERK: Please be seated.

18 Please speak directly into the microphone.
19 State your full name for the record, and spell your
20 last name, please.

21 THE WITNESS: John W. Robinson, Jr., R O B I N S
22 O N.

23 THE CLERK: Thank you.

24 DIRECT EXAMINATION

25 BY MR. HURSON:

1 Q Okay. Mr. Robinson, just speak slowly and
2 clearly into the microphone, please. Okay?

3 A Okay.

4 Q How old are you?

5 A 28.

6 Q And where are you from?

7 A Baltimore, Maryland.

8 Q Prior to being incarcerated on this charge, were
9 you working?

10 A Yes, sir.

11 Q And where were you working?

12 A Fuddruckers.

13 Q Where?

14 A On Reisterstown Road, in Pikesville.

15 Q I want to take you back to June 19, 2008. Do
16 you remember that day?

17 A Yes, sir.

18 Q I want to start at the beginning of the day.
19 Where did you wake up that morning?

20 A At Charlene's house.

21 Q And who's Charlene?

22 A My girlfriend.

23 Q What time did you get up?

24 A About 7:30.

25 Q How long have you known Charlene?

1 A Well, I've actually known her since middle
2 school, but we ain't start dating until about a year
3 prior to this.

4 Q At the time on June 19th, she was your girlfriend?

5 A Yes.

6 Q So the night of June 18th, did you stay at her
7 house?

8 A Yes, I did.

9 Q So you woke up at 7:30 on June 19th, and what
10 happened next?

11 A I talked to Charlene and I prepared to leave the
12 house.

13 Q Where were you going to go?

14 A I was going home.

15 Q Where's home?

16 A 3704 Springdale Avenue.

17 Q And who lives there?

18 A Two of my aunts, and a younger cousin.

19 Q Do you have a car?

20 A No, I don't.

21 Q So how did you get up to -- how were you going
22 to get to 3704 Springdale?

23 A I was driving Charlene's car.

24 Q What kind of car does Charlene have?

25 A A red Escort.

1 Q Tell me about this Escort.

2 A It's a two-door, red, old Escort.

3 Q 1991?

4 A Yes, sir.

5 Q Does the Escort have air-conditioning?

6 A No, sir.

7 Q Did you ever try to fix that?

8 A Yes, sir.

9 Q Tell me about that.

10 A I actually took the car to Precision Tune in
11 Pikesville at York and Warren Road. I previously
12 worked at the Jiffy Lube across the street from it, so
13 I took it to them to see if they could fix the air
14 conditioner or would charge it.

15 Q What did they tell you?

16 A They told me they couldn't because all the
17 machines were now converted to the new system, and the
18 Escort was too old because of the conversion.

19 Q So you didn't have air-conditioning?

20 A No, I didn't.

21 Q So what would you do when it was hot out?

22 A I rolled the windows down.

23 Q Do you remember the weather on June 19th?

24 A Yes, sir.

25 Q What was it?

1 A It was nice. It was pretty warm.

2 Q What time did you leave Charlene's house?

3 A Between 7:30 and 8 o'clock.

4 Q When you left your house, do you remember if you
5 had the windows up or down?

6 A Yes, I do.

7 Q What were they?

8 A They were down. I rolled them down before I got
9 in the car to pull off.

10 Q Say that again. I'm sorry.

11 A I rolled them down before I got in the car to
12 pull off.

13 Q The driver side and the passenger side?

14 A Yes, sir.

15 Q And you started driving?

16 A Yes, sir.

17 Q Which way did you go?

18 A Well, I actually came out of her complex and
19 went to the gas station right up the street from her
20 complex, her apartment complex.

21 Q And then where did you go?

22 A I drove up to Northern Parkway, to Northern
23 Parkway to 83. I took 83 to the Druid Hill Park exit,
24 got off there, got on Gwynns Falls. I drove Gwynns
25 Falls to Longwood. I made a right turn from off of

1 Gwynns Falls onto Longwood, proceeded --

2 Q Let me stop you right there. I'm going to show
3 you this exhibit, which I think the government, I can
4 actually just use theirs, but I'll just go with
5 Defense 6.

6 Mr. Robinson, do you recognize what this is a
7 map of?

8 (Defendant's Motion Exhibit Number 6 was
9 received.)

10 A Yes, I recognize it.

11 Q This right here is what street?

12 A Longwood.

13 Q And then this is?

14 A Carlisle.

15 Q Then up here?

16 A Powhatan.

17 Q So you said you turned right onto Longwood and
18 you were headed -- I guess what would that be, east?

19 A No.

20 Q Okay. Whatever direction it is, you were going
21 this way?

22 A Right.

23 Q Had you driven that way before?

24 A Yes.

25 Q How many times?

1 A Too many to remember.

2 Q What is at the intersection here of Longwood,
3 Powhatan and Carlisle?

4 A A stop sign.

5 Q On that morning of June 19th, did you come to
6 that stop sign?

7 A Yes, I did.

8 Q What did you do when you got to that stop sign?

9 A I stopped.

10 Q Completely?

11 A Yes, sir.

12 Q What did you do after you stopped?

13 A I looked to the left to make sure no cars were
14 coming.

15 Q I'm going to show you Defendant's Exhibit 9.
16 That's a shot up Carlisle, correct?

17 (Defendant's Motion Exhibit Number 9 was
18 received.)

19 A Correct.

20 Q Right here where this flashy sportster is --

21 A Right.

22 Q -- that's Carlisle?

23 A Yes, sir.

24 Q Okay. Is that the direction you looked?

25 A Yes, sir.

1 Q Did you see any police cars in that direction?

2 A No, sir.

3 Q Then what did you do?

4 A After I stopped and looked, I proceeded to go
5 through the stop sign.

6 Q And you headed in this direction?

7 A Correct.

8 Q Now I'm going to show you Defendant's Exhibit 7,
9 which is a bit of a wider angle of the area we have
10 been discussing.

11 You proceeded up Powhatan, correct?

12 (Defendant's Exhibit Number 7 was received.)

13 A Correct.

14 Q How were you driving at that time?

15 A Normal.

16 Q Meaning normal speed?

17 A Normal speed.

18 Q Do you know what the speed limit is around
19 there?

20 A No. It's not that much. I would say 15 to 20,
21 residential area.

22 Q And were you speeding?

23 A No, not at all.

24 Q So what happened next?

25 A I drove up Powhatan. I came to a red light at

1 Powhatan and Hilton.

2 Q That's where I'm indicating right here with this
3 pen?

4 A Yes, sir.

5 Q And what did you do then?

6 A I stopped at the red light. I looked left and
7 then proceeded to make a right turn on a red light.

8 Q So I'm going to show you Defendant's Exhibit 14.

9 That's a picture of the intersection of Powhatan and
10 Hilton, correct?

11 (Defendant's Motion Exhibit Number 14 was
12 received.)

13 A Correct.

14 Q Is that the direction that you looked in?

15 A Correct.

16 Q Is that what it pretty much looked like?

17 A Correct.

18 Q Did you see anything?

19 A Yes, I did.

20 Q What did you see?

21 A I see a police -- I saw a police cruiser.

22 Q And where was the police cruiser?

23 A It was a couple car lengths still down the road.

24 Q You can even point on the screen to where you
25 think you remember that police cruiser being.

1 A I would say it was about right here, in between
2 these two trees.

3 Q And what did you do?

4 A I made a right turn on red.

5 Q Then what happened?

6 A I drove a little bit and I noticed the lights
7 flashing and hearing the sirens behind me, and I
8 pulled over.

9 Q When you say you drove a little bit, you mean up
10 Hilton Street here?

11 A Yes.

12 Q You noticed lights flashing in your rear view
13 mirror?

14 A Yes.

15 Q What did you do?

16 A I pulled over.

17 Q What were you thinking?

18 A I wasn't thinking anything. I was wondering why
19 I was being pulled over.

20 Q But you knew they were pulling you over?

21 A No, I didn't know for sure. I pulled over, and
22 when they pulled over behind me, then I knew for sure.

23 Q So then what happened?

24 A I started -- once they pulled over, I took my
25 license out of my back pocket, and I went to the glove

1 compartment to locate the registration.

2 Q At this point, had any officers come up to your
3 car yet?

4 A No.

5 Q And at this point, were your windows up or down?

6 A Down.

7 Q So what happened next?

8 A Officer Oswald, he approached me at the driver's
9 side window.

10 Q And how do you know it was Officer Oswald?

11 A From the way the report was wrote up, from
12 studying the report.

13 Q Then today you saw Officer Oswald in the
14 courtroom, correct?

15 A Yes, sir.

16 Q And can you describe which one of the two people
17 who testified it was that came to your window?

18 A The biggest guy, with the bald head.

19 Q He came up to the window?

20 A Yes, sir.

21 Q Do you know approximately what time this was?

22 A I'm going to say it was after 9:30.

23 Q What happened when he came to the window?

24 A He asked me for my license and registration, and
25 I asked him why he pulled me over. He stated I ran a

1 traffic -- a stop sign. I said all right, gave him
2 the license and registration, and he proceeded to go
3 back to the police cruiser.

4 Q Were there any other officers at your car at
5 that time?

6 A No, it wasn't.

7 Q Did you see any other officers?

8 A Yes, I did.

9 Q Who did you see?

10 A I saw Officer Herman.

11 Q And where was Officer Herman?

12 A He was at the police cruiser, leaning against
13 it, talking on his cell phone.

14 Q He was back behind you. How did you see him if
15 he was behind you?

16 A Through my rear view mirror.

17 Q So what did you do then?

18 A I picked up the phone and called Charlene.

19 Q Why did you call Charlene?

20 A Because it was her car, and I was letting her
21 know I was being pulled over in her car.

22 Q And did she answer?

23 A Yes, she did.

24 Q And what did you say to her?

25 A I told her I was being pulled over.

1 Q And what is Charlene's phone number?

2 A 443-927-5037.

3 Q What is your phone number?

4 A 410-948-3582.

5 MR. HURSON: Your Honor, I'm showing Mr.

6 Robinson what is marked as Defense Exhibit 8.

7 (Defendant's Motion Exhibit Number 8 was
8 received.)

9 THE COURT: Okay.

10 BY MR. HURSON:

11 Q Do you see Defense Exhibit 8 that I just handed
12 to you?

13 A Yes, sir.

14 Q Do you know what that is?

15 A Yes, sir.

16 Q What is it?

17 A A copy of my phone statement.

18 Q Your phone statement?

19 A Yes, sir.

20 Q I noticed there's a name on there that says
21 Shots Robinson.

22 A Yes, sir.

23 Q What is that?

24 A It's a nickname my father gave me at birth.

25 Q When did he give it to you?

1 A At birth.

2 Q Do you share a plan with your family, a phone
3 plan.

4 A Yes, sir.

5 Q So I have only shown you a couple pages of that,
6 correct, of that phone bill?

7 A Yes, sir.

8 Q But that is in fact your phone number on the
9 front?

10 A Yes, sir.

11 Q It's cut off a little bit.

12 A The two is cut off.

13 Q But looking at the list of calls that's on the
14 18th and the 19th on the next page, that reflects your
15 activity of phone calls that day, does it not?

16 A Yes, sir.

17 Q Okay. Now you're on the phone with Charlene.
18 You told her that the car, that you had been pulled
19 over. What does she tell you?

20 A She asked me why I was being pulled over.

21 Q And at this point, where are the officers?

22 A Still at their police cruiser.

23 Q Did they ever come back?

24 A Yes, sir.

25 Q What happened when they came back?

1 A Well, only Officer Oswald came back.

2 Q He came back to which side of your car?

3 A On the driver's side.

4 Q Are you still on the telephone at this point?

5 A Yes, sir.

6 Q What did Officer Oswald say to you when he got
7 back to your car?

8 A He asked me if I had any bazookas or drugs in
9 the car.

10 Q He asked you if you had any bazookas or drugs in
11 the car?

12 A Yes, sir.

13 Q And those were his exact words?

14 A His exact words.

15 Q Then what happened?

16 A He asked me if he could search the vehicle.

17 Q He asked you if he could search the vehicle?

18 A Yes.

19 Q Did he have a ticket in his hand?

20 A No, sir.

21 Q What did you say when he asked you to search the
22 vehicle?

23 A I told him no, he couldn't search the vehicle.

24 Q Then what happened?

25 A He asked again.

1 Q What did he ask?

2 A This time he asked why couldn't he search the
3 vehicle.

4 Q And what happened then?

5 A I told him it was a routine traffic stop, give
6 me a ticket and let me go. I put the phone on speaker
7 and I said Charlene, you hearing me telling this
8 officer he has no right to search this vehicle?

9 Q Did you hear anything back?

10 A Yeah.

11 Q What did you hear back?

12 A Charlene told me to call my father.

13 Q And did you hang up the phone and try to call
14 your father?

15 A Yes, I did.

16 Q What is your father's phone number?

17 A 410-944-4116.

18 Q And did your father answer the phone?

19 A No, sir.

20 Q So what happened?

21 A I got the answering machine. Well, I was in the
22 process of calling my father when I hung up. Officer
23 Oswald then called Officer Herman to the car.

24 Officer Herman came to the car as I was getting
25 the answer magazine. I hung up. Officer Herman

1 pulled his gun.

2 No, before this, he was asking when he came to
3 the car why he couldn't search the car.

4 Q Officer Herman was asking?

5 A Yes. He was asking me why I wouldn't let them
6 search the car.

7 Q And he was on the driver's side of the car?

8 A Yes. He walked to the driver's side of the car.

9 Q Then what happened?

10 A Then once I hung up the cell phone, he pulled
11 out his gun, pointed his gun at me, asked me was I
12 disobeying a direct order to get out of the car.

13 Q Who pulled the gun out?

14 A Officer Herman.

15 Q And what happened next?

16 A Officer Oswald immediately pulled his gun
17 afterwards, and I told him I was not denying the
18 direct order to get out of the vehicle, and I got out
19 of the vehicle.

20 Q Then what happened?

21 A They put handcuffs on me and set me, took me to
22 the back of my car and set me on the ground in between
23 the two vehicles, the police cruiser and the Escort.

24 Q Then what happened after that?

25 A Officer Herman walked back around to the

1 driver's side of the vehicle. He was out of my view.
2 He was over there for a minute or so. Then he walked
3 around to the passenger side of the vehicle.

4 Q So he, Officer Herman went to the driver's side
5 first?

6 A Yes, sir.

7 Q Did he open the door?

8 A Yes, sir. Well, he was out of my view. I
9 couldn't really see.

10 Q Then where did he go?

11 A He went around the passenger's side next.

12 Q Then what did he do?

13 A He opened the door. He got in like he was
14 looking around.

15 Q Then what happened?

16 A He came out of the car, walked back to the
17 police car and held up two items, saying this is why
18 you didn't want us to search the car.

19 Q Did you ever give these officers consent to
20 search your car?

21 A No, I didn't.

22 Q Did you ever grab at a backpack?

23 A No, I didn't.

24 Q Did you ever make any statement that you had
25 found a gun in the trash can?

1 A No, sir.

2 Q At any point when you were on Hilton Avenue, in
3 the car or handcuffed, did Officer Oswald ever present
4 you with a ticket?

5 A No, he didn't.

6 Q Was there ever a time where he presented you
7 with a ticket?

8 A Yes, there was.

9 Q When was that?

10 A When I was in Northwestern District, after I was
11 debriefed by the detective.

12 Q What detective debriefed you?

13 A I'm not sure of his name.

14 Q What did he ask you?

15 A He asked me if I wanted to sign a paper that
16 waived my rights, if I had anything to say or if I
17 knew of any activity, drug activity, violent activity
18 that I wanted to tell him about.

19 Q And what did you say?

20 A I told him no.

21 Q Then you saw Officer Oswald again?

22 A Yes.

23 Q When was that?

24 A Once they brought me out of the detective's
25 office or the room, back to the front of the police

1 station. I guess it's the receptionist's desk, or
2 whoever works right there.

3 Q And were you handcuffed?

4 A Yes, I was.

5 Q What did Officer Oswald ask you?

6 A He asked me to sign his ticket.

7 Q And what did you say?

8 A Sure.

9 Q Then what happened?

10 A I was flexicuffed and I couldn't sign a ticket
11 because of the awkwardness of my hands.

12 Q So you were actually handcuffed with the flex
13 cuffs behind your back?

14 A Yes.

15 Q So you couldn't sign the ticket?

16 A No, I couldn't sign the ticket.

17 Q Now where is the cell phone that you used to
18 make the calls now?

19 A Charlene has it.

20 Q And did you have that cell phone throughout the
21 day of the 19th?

22 A While I was still in the station house, yes, I
23 did.

24 Q They never took it from you?

25 A No, they didn't.

1 Q And so did you make more calls on it?

2 A Yes, I did.

3 Q Then ultimately it was taken from you?

4 A Yes. When I got into the paddy wagon to be
5 escorted to Central Booking, the paddy wagon driver
6 patted me down, felt the phone, and took it.

7 Q And took it from you?

8 A Yes.

9 Q What time did you get to Central Booking?

10 A I'm not sure.

11 Q But it was on the 19th?

12 A Yes.

13 Q Was it during the day?

14 A Yes.

15 MR. HURSON: Your Honor, I believe that is all
16 the questions I have.

17 I have not been formally moving my exhibits in,
18 I realize, and I would like to do that if that's okay.

19 THE COURT: Once you mention them, unless there
20 is an objection, they come in. So that's fine.

21 All right. Let's see, Mr. Fuchs, do you have
22 any questions?

23 MR. FUCHS: Yes, Your Honor.

24 CROSS-EXAMINATION

25 BY MR. FUCHS:

1 Q Good afternoon, Mr. Robinson.

2 A Good afternoon, sir.

3 Q Mr. Robinson, on June 19th of 2008, were you on
4 probation for any crimes?

5 MR. HURSON: Objection, Your Honor.

6 MR. FUCHS: Your Honor, I believe this goes --

7 MR. HURSON: Irrelevant.

8 THE COURT: I'm sorry, what?

9 MR. HURSON: Relevance of his status, as well as
10 the fact that it goes to an ultimate issue in the
11 case, which is the element of a prior felony
12 conviction.

13 Under Rule 104(d) of the Federal Rules of
14 Evidence, which I understand do not always literally
15 apply in these settings, a defendant does not have to
16 answer --

17 The accused does, by testifying upon a
18 preliminary matter, which would be this particular
19 issue of the admissibility of evidence, subject
20 himself to cross-examination as to other issues in the
21 case.

22 I'll cut right to the chase, which is if the
23 government wants to discuss his convictions with you
24 through some other method, I don't mind. I think it's
25 simply the admissions through the defendant that I am

objecting to.

THE COURT: Okay. Is this a credibility, you want me to know that he has a prior felony conviction for purposes of assessing his credibility?

MR. FUCHS: Yes, Your Honor.

THE COURT: Okay. Without asking him to admit that, I would assume that the government had evidence of a prior conviction or it would not have obtained the indictment. So I'll assume there's a prior conviction.

MR. FUCHS: Okay. Thank you, Your Honor.

BY MR. FUCHS:

Q Mr. Robinson, you said you left Charlene's house at 7:30?

A Between 7:30 and 8.

Q Between 7:30 and 8?

A Yes, sir.

Q And where does Charlene live?

A She lives in East Baltimore.

Q And how far is that from the intersection of Powhatan and Longwood and Carlisle?

A About --

Q Roughly.

A I'm not even sure. It's a long distance.

Q Where did you go first?

1 A To the gas station.

2 Q Okay. Where is that gas station?

3 A Once you come out of the complex, you make a
4 right. I'm not sure of the name of the street, but
5 it's right there.

6 Q What kind of gas station is it?

7 A It's an Exxon.

8 Q What did you do there?

9 A I got gas.

10 Q How much gas did you get?

11 A \$15 worth.

12 Q Do you have a receipt?

13 A No.

14 Q Where did you go after you left the Exxon
15 Station?

16 A I drove to Northern Parkway, went to Northern
17 Parkway to 83. I took 83 to the Druid Hill Park exit,
18 drove to Gwynns Falls, made a right on Gwynns Falls
19 onto Longwood.

20 Q At that point you were stopped by the police
21 officers; is that correct?

22 A No, not at that point. No, I wasn't.

23 Q What happened next?

24 A What happened next?

25 Q Right.

1 A I drove Longwood and Carlisle, stopped at the
2 stop sign, proceeded to Longwood, I mean Powhatan and
3 Hilton. I made a right turn on red, and then I was
4 pulled over by the officers.

5 Q And what time was that?

6 A Like 9:30.

7 Q Where you wearing a watch?

8 A No.

9 Q Was there a clock in your car?

10 A There was a clock in the car, yes.

11 Q Do you remember looking at the clock in your
12 car?

13 A No.

14 Q Can you say with any certainty it was 9:30?

15 A Just by the time of day.

16 Q Okay.

17 A And my movements through the day.

18 Q Could it have been after 9:30?

19 A Yeah, it could have been.

20 Q So you left Charlene's house at 7:30 and then
21 you were pulled over at approximately 9:30?

22 A Uh-huh.

23 Q So your testimony is it took you two hours to
24 get from East Baltimore, get gas, and get to the
25 vicinity of Hilton and Fairview?

1 A Yeah.

2 Q Two hours?

3 A Yeah.

4 Q Did you make any other stops other than the gas
5 station?

6 A No, I didn't.

7 Q How fast were you driving?

8 A Regular. I wasn't speeding at all.

9 It's, you know, traffic. It's rush hour.

10 Northern Parkway is really congested. 83 is congested
11 at that time. Gwynns Falls is congested at that time.
12 It's rush hour traffic.

13 Q So your testimony is that it took you possibly
14 as long as two and a half hours to get from Charlene's
15 house to where you were stopped by the police?

16 A Not actually two and a half hours. Like I said,
17 I approximated between 7:30 and 8. I'm not giving you
18 exactly the amount of time.

19 Q Understood. And you were driving the red Ford
20 Escort; is that correct?

21 A Yes, sir.

22 Q And that's Charlene's car?

23 A Yes, sir.

24 Q Was there anything in the car with you?

25 A No, sir.

1 Q Was there a black backpack?

2 A Yes, sir.

3 Q Was that you backpack?

4 A Yes, sir.

5 Q Was there anything in it?

6 A No, sir.

7 Q Was there anything under the backpack?

8 A No, sir.

9 MR. HURSON: Objection, Your Honor, relevance

10 and again, 104(d). My objection would be if the
11 government wants to question him about what he was
12 doing, but this is just asking for a laundry list of
13 the items in the car, which is irrelevant to the
14 question at hand.

15 THE COURT: Well, I do think you asked him to
16 respond to questions regarding the black backpack and
17 whether he moved toward it and so forth.

18 MR. HURSON: It's more of a preemptive objection
19 really, if he is going to laundry list everything, and
20 I suspect, I think I know where this is going. He may
21 be going into irrelevant territory, but I completely --

22 THE COURT: So far all I heard was black
23 backpack and whether there was anything under it, so
24 I'll overrule the objection to that.

25 BY MR. FUCHS:

1 Q Mr. Robinson, was there anything under the
2 backpack?

3 A No, sir.

4 Q Was there a gun in the car?

5 MR. HURSON: Objection, Your Honor. That's my
6 objection. That's totally irrelevant to the question
7 at hand. The question at hand is the legality of the
8 search.

9 Mr. Robinson was questioned on direct about what
10 happened with respect to the stop. Going through the
11 car and asking for the contents of the vehicle is
12 beyond the scope, it's irrelevant, and under 104(d),
13 he shouldn't be subjected to that.

14 THE COURT: That's an interesting argument,
15 which I have not heard before. You put him on the
16 stand. He testified, among other things, that the
17 police officers came out and held up two items; this
18 is why you didn't want me to search the car.

19 Mr. Robinson has told a very different version
20 of the factual events from what the officers did. I
21 don't see how you can expect me to assess relative
22 credibility without getting into these issues.

23 MR. HURSON: Well, I have noted my objection,
24 Your Honor. That's what it is.

25 THE COURT: Okay.

1 MR. HURSON: Thank you.

2 THE COURT: Overruled.

3 BY MR. FUCHS:

4 Q Mr. Robinson, was there a gun in the car?

5 A No, sir.

6 Q Do you own a gun?

7 A No, sir.

8 Q Have you ever owned a gun?

9 A No, sir.

10 Q Have you ever possessed a gun?

11 A No, sir.

12 Q You said that when you were stopped by the
13 police officers that day, you were in that red Ford
14 Escort. Is that correct?

15 A Yes, sir.

16 Q Was anyone else in the car?

17 A No, sir.

18 Q If I remember correctly, you testified that you
19 did travel up Longwood to the intersection of
20 Longwood, Powhatan and Carlisle; is that correct?

21 A Yes, sir.

22 Q You said you stopped at the stop sign?

23 A Yes, sir.

24 Q And you remember clearly stopping at that stop
25 sign?

1 A Yes, sir.

2 Q You looked around at that time?

3 A I mean I looked left to the --

4 Q And you didn't see any police officers?

5 A No, sir.

6 Q You said when you were ultimately stopped by the
7 police officers, that that was on North Hilton; is
8 that correct?

9 A Yes, sir.

10 Q Is that roughly in the 3000 block of North
11 Hilton?

12 A Roughly.

13 Q At that time were you the only person in the
14 car?

15 A Yes, sir.

16 Q And you were in that red Ford Escort?

17 A Yes, sir.

18 Q You said the windows were up at that time?

19 A No, sir. The windows, I said the windows were
20 down.

21 Q I'm sorry. I'm sorry. The windows were down at
22 that point. I apologize.

23 A Yes, sir.

24 Q And that was because the air-conditioning was
25 broken?

1 A Yes, sir.

2 Q At some point you said that you had tried to get
3 the air-conditioning fixed?

4 A Yes, sir.

5 Q Where did you take it to get it fixed?

6 A Precision Tune in Cockeysville.

7 Q Okay.

8 A Warren Road and Timonium Road.

9 Q Why did you go all the way up to Cockeysville?

10 A Because I worked at the Jiffy Lube across from
11 it and I know the mechanics there, so I trust them.

12 Q Okay. You took it to them and you asked them if
13 they could fix it?

14 A Yes, sir.

15 Q Did they give you an estimate?

16 A No, sir.

17 Q Did they give you any paperwork whatsoever?

18 A Yes, sir.

19 Q What was the paperwork?

20 A They gave me a receipt just to sign saying that
21 they checked it.

22 Q Do you have that receipt?

23 A No, I don't.

24 Q Now you said the officers stopped you, they
25 approached, and at some point you got on the phone; is

1 that correct?

2 A Yes, sir.

3 Q Do you remember exactly when that was?

4 A Not the exact time exactly.

5 Q Do you remember looking at the clock in the car?

6 A No, sir.

7 Q The reports that Mr. Hurson showed you about
8 your phone record --

9 A Yes, sir.

10 Q -- did you prepare those reports?

11 A Did I do what?

12 Q Did you prepare those reports?

13 A Did I prepare them?

14 Q Right.

15 A No, sir.

16 Q Do you know where they came from?

17 A They came from the phone company.

18 Q Do you know how the phone company keeps its
19 records?

20 A No, sir.

21 Q The time entries in the phone records, do you
22 know if that's Eastern Standard Time, Central Time,
23 Pacific Time?

24 A No, sir.

25 Q You said the officers at some point took you out

1 of the car?

2 A Yes, sir.

3 Q Was that at gunpoint?

4 A Yes, sir.

5 Q And they put you in handcuffs at that point?

6 A Yes, sir.

7 Q They put you on the street curb behind your car;
8 is that correct?

9 A Yes, sir.

10 Q At that point you said Officer Herman went and
11 searched Charlene's car?

12 A Yes, sir.

13 Q You said he came back with two items?

14 A Yes, sir.

15 Q He showed those items to you?

16 A Yes, sir.

17 Q What were they?

18 A A gun and two capsules.

19 Q What was in the capsules?

20 A I don't know.

21 Q What did the gun look like?

22 A It was gray.

23 Q Was it an automatic or a revolver?

24 A An automatic.

25 Q Did you see where Officer Herman found that gun?

1 A No, I didn't.

2 Q Had you ever seen that gun before?

3 A No, sir.

4 Q You didn't own that gun?

5 A No, sir.

6 MR. HURSON: Objection, Your Honor. This has
7 been asked and answered repeatedly, and my same
8 objection from before still stands.

9 THE COURT: Okay. It is overruled. I don't
10 believe he had asked I saw where the gun came from.

11 BY MR. FUCHS:

12 Q Mr. Robinson, do you know if Charlene owns a
13 gun?

14 A No, I don't.

15 Q Do you know if anyone keeps a gun in that car?

16 A No, I don't.

17 Q When you got in the car that day, did you see a
18 gun at any point in the car?

19 A No, sir.

20 Q You said you were never presented a ticket, is
21 that correct, at the time of the traffic stop?

22 A Yes, sir.

23 Q Your testimony was that you received that ticket
24 when you got back to the station?

25 A Yes, sir.

1 Q You said you were prepared to sign it?

2 A Yes, sir.

3 Q But you were handcuffed?

4 A Yes, sir.

5 Q And so you never signed it?

6 A No, sir.

7 Q That's the last time you saw that ticket?

8 A Until it was presented with the probable cause
9 at Central Booking.

10 Q And where were you taken after you were
11 arrested?

12 A After the scene of arrest?

13 Q Yes, sir.

14 A I was taken to Northwestern Police District.

15 Q Who took you there?

16 A I don't know who the officer was.

17 Q Was it Officer Herman?

18 A No, sir.

19 Q Officer Oswald?

20 A No, sir.

21 Q Did you see them at the Northwest District?

22 A Yes, sir. I saw Officer Oswald at the Northwest
23 District. I didn't see Officer Herman.

24 Q Okay. And how long after you were arrested did
25 you see Officer Oswald?

1 A I don't know what time it was.

2 Q Would you say it was an hour after you were
3 arrested, two hours?

4 A I can't really say.

5 Q Was there anyone else there when you met with
6 Officer Oswald?

7 A Yes, it was.

8 Q Who?

9 A The other officer that was working the desk.

10 Q I'm sorry, working which desk?

11 A The reception desk. Well, I don't know what her
12 job title was or the title of the desk.

13 Q You said you met with a detective who tried to
14 debrief you?

15 A Yes, sir.

16 Q Was he there when Officer Oswald was talking to
17 you?

18 A No, he wasn't.

19 Q So there was no one there except Officer Oswald
20 and the person at the desk?

21 A Yes.

22 Q Where were you in the police station?

23 A I was in -- I don't know how you describe it.
24 It's where you come in at, they bring you in, and the
25 door is in this area.

1 Q Sort of the reception area?

2 A Yeah. That's what I would say.

3 Q And was this before you were debriefed?

4 A No. I came in before I was debriefed, but he
5 offered me to sign a ticket after I was debriefed.

6 Q Okay. So you were finished being debriefed?

7 A Yes, sir.

8 Q And they moved you back out to the reception
9 area?

10 A Yes, sir.

11 Q The detective who debriefed you left?

12 A No. He came never came out of the room.

13 Q Okay. So you were in the reception area?

14 A Correct.

15 Q Were you in handcuffs?

16 A Yes.

17 Q Was there someone with you?

18 A The officer that brought me out of the room.

19 Q And who was that?

20 A I don't know.

21 Q Is that a different officer from the one who was
22 at the reception desk?

23 A No. The officer at the reception desk was the
24 officer at the reception desk, and this officer that
25 brought me up was another officer.

1 Q Okay. So there were two officers?

2 A The officer that brought me up, he brought me to
3 the reception desk, and he went back to where he was.

4 Q Okay.

5 A Officer Oswald and the reception, the person at
6 the desk were in there.

7 Q So Officer Oswald entered the reception area at
8 some point?

9 A He was already there once I was brought from out
10 the back.

11 Q So when the officer brought you out to the
12 reception area, Officer Oswald was already standing
13 there?

14 A Yes, sir.

15 Q And you don't remember who the officer was that
16 brought you to the reception area?

17 A No, sir.

18 Q And Officer Oswald was standing there, and
19 explain what happened.

20 A He came up to me and asked me to sign the
21 ticket.

22 Q Did he ask you anything else?

23 A No.

24 Q Did he show you anything else?

25 A No.

1 Q He asked you no more questions?

2 A No.

3 Q The only question he asked or the only thing he
4 said to you was I want you to sign?

5 A Sign this ticket.

6 Q Did he say why he wanted you to sign this
7 ticket?

8 A No.

9 Q Had you seen the ticket before?

10 A No.

11 MR. FUCHS: Court's indulgence, Your Honor.

12 (Pause.)

13 Q Mr. Robinson, I'm going to read you some phone
14 numbers and if you recognize them, can you just tell
15 me who it is?

16 A Sure.

17 Q 443-768-1923?

18 A No, I don't.

19 Q Do you remember making a phone call the morning
20 of 6-19 to that phone number?

21 THE COURT: Would you read that phone number
22 again?

23 MR. FUCHS: I'm sorry, Your Honor. It's
24 443-768-1913.

25 THE COURT: 1913.

1 MR. FUCHS: Yes, Your Honor.

2 BY MR. FUCHS:

3 Q Do you remember making a phone call at that
4 time?

5 A No, I don't.

6 Q Were you awake at 5:33 a.m.?

7 A Yes, I was.

8 Q What were you doing?

9 A Charlene just left for work. I always wake up
10 and walk her to the door when she leaves out when I'm
11 there.

12 Q She leaves for work at what time?

13 A Around that time, around 5:30.

14 Q How did she get to work?

15 A She rode with a girlfriend that morning.

16 Q Who was her girlfriend?

17 A I don't know.

18 Q Does she usually ride with her girlfriend?

19 A Sometimes.

20 Q And you don't recognize that phone number?

21 A No, I don't.

22 Q Do you recognize this phone number, 443-927-5037?

23 A Yes, I do.

24 Q Whose phone number is that?

25 A Charlene's phone number.

1 Q Do you remember speaking to her at 8:43 a.m.?

2 A I mean I don't really remember the conversation
3 at that time.

4 Q Do you remember making some phone calls while
5 you were driving around the city?

6 A Not exactly offhand.

7 Q Do you recognize this phone number, 410-944-4146?

8 A Yes, I do.

9 Q And who is that?

10 A That's my father's number.

11 Q Okay. Do you remember speaking to him that
12 morning?

13 A No, I don't. I didn't speak to him.

14 Q And do you recognize phone number 410-245-2744?

15 A No, I don't.

16 Q Do you have any nicknames?

17 A Yes, I do.

18 Q What is your nickname?

19 A Shots.

20 Q When did you get this phone?

21 A September 11, 2006.

22 Q That's very specific. How do you remember that?

23 A My father gave it to me. I remember that day,
24 9-1-1.

25 Q Is this a special occasion? Is that your

1 birthday?

2 A No, September 11, 9-1-1.

3 Q Okay. Are you the only person who uses this
4 phone?

5 A Was I the only person to use it?

6 Q Correct.

7 A No. Somebody else could use it.

8 Q Who else used it?

9 A Who else used it?

10 Q Yep.

11 A Well, when I was at the Northwestern District,
12 the person I was in the bull pen with, he used it.

13 Q The person that you were in the what now?

14 A The bull pen with.

15 Q Oh, okay.

16 A The holding cell.

17 Q Did you know the guy?

18 A No, I didn't.

19 Q Do you know who he called?

20 A No, I don't.

21 Q Do you know what time that was?

22 A I'm not actually sure.

23 Q Did anyone else ever use your phone?

24 A Sure, sure.

25 Q Who?

1 A I mean numerous of people have used my phone.

2 Q Did you pay the bills for the phone?

3 A Yes, I did. I paid my part of the bill to the
4 phone.

5 Q So who else paid the bill?

6 A My father pays the bill. My sister -- my father
7 paid my youngest sister and his portion of the bill,
8 and my oldest sister, she paid her portion of the
9 bill.

10 Q So did all of those people use the phone?

11 A Did all those people --

12 Q The people you just listed.

13 A They could use the phone.

14 Q And did they? You said they paid the bill at
15 certain times.

16 A They paid their portion of the bill.

17 Q Understood. But at certain points in time they
18 were paying their portion of the bill; is that
19 correct?

20 A Correct.

21 Q Were they using the phone that day, June 19th?

22 A No, they wasn't.

23 Q How do you remember?

24 A They wasn't. I wasn't no where around for them
25 to use it.

1 Q Do you have any other cell phones?

2 A No, I don't.

3 MR. FUCHS: No more questions, Your Honor.

4 THE COURT: Mr. Hurson.

5 REDIRECT EXAMINATION

6 BY MR. HURSON:

7 Q Mr. Robinson, the other officer -- there was a
8 great discussion about what happened at the Northwest
9 District, in the lobby area?

10 A Right.

11 Q The other officer who was there at the reception
12 desk, do you know who that is?

13 A Yes, I do.

14 Q And who is that?

15 A I know her name as Patrice.

16 Q And how do you know Patrice?

17 A I went to high school with her.

18 Q And she was actually the person sitting in that
19 area?

20 A Yes, she was.

21 Q On June 19th, aside from the other person in the
22 bull pen with you, did any of these other people who
23 paid the bill or ever used your phone, did they use
24 your phone on June 19th?

25 A No, they didn't.

1 Q Looking at this phone bill, I believe you said
2 you did not recognize the number 410-245-2744,
3 correct?

4 A Yes, sir.

5 Q You don't know what that number is, right?

6 A No, sir.

7 Q Could that have been the number called by the
8 person in the bull pin?

9 A Yes, sir.

10 Q Was that about the approximate time you think
11 you may been in the bull pen?

12 A Yes, sir.

13 Q Does it indicate on this bill if calls are
14 incoming or outgoing? I actually think it does, if
15 you look up.

16 I'm going to go ahead and answer my own
17 question. I apologize.

18 A Yes, it does.

19 Q All of these calls that were placed on June 19th
20 were outgoing; is that right?

21 A Yes, sir.

22 Q Except potentially the last one, 443-631-0119.
23 Do you remember getting that call?

24 A No, sir.

25 Q Did anyone ever bring you anything that was

1 taken, the backpack or anything from the car? Did
2 anybody ever return any property to you?

3 A No, sir.

4 MR. HURSON: No further questions, Your Honor.

5 THE COURT: Thank you.

6 Anything else?

7 MR. FUCHS: No, Your Honor.

8 THE COURT: All right. Thank you, sir. You can
9 step back down.

10 MR. HURSON: Your Honor, the defense calls Ms.
11 Charlene Streams.

12 THE COURT: Okay.

13 THE CLERK: Please raise your right hand.

14 CHARLENE STREAMS

15 a witness called on behalf of the Defendant, having
16 been previously duly sworn, was examined and testified
17 as follows:

18 THE CLERK: Please be seated.

19 Please speak directly into the microphone.

20 State your full name for the record, and spell your
21 last name, please.

22 THE WITNESS: Spell my last name?

23 THE CLERK: State your full name. Then spell
24 your last name.

25 THE WITNESS: Charlene Elizabeth Streams, S T R

E A M S.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. HURSON:

Q Good afternoon, Ms. Streams. If you can just speak slowly and clearly into the microphone, that would be great for myself and the court reporter.

If you don't understand any of my questions, just ask me to rephrase them or repeat them.

Ms. Streams, do you know this gentleman right here?

A Yes.

Q And how do you know him?

A Boyfriend.

Q How long have you known him?

A It's going on -- well, how long have we been together?

Q Well, how long have you known him?

A I've known him like through a couple of years on and off.

Q And you have actually dated Mr. Robinson?

A Yes.

Q How long?

A It's going on two years.

Q Ms. Streams, if you could tell us, what do you

1 do for a living?

2 A I'm currently in school.

3 Q Where are you in school?

4 A It's a program called MCAT.

5 Q It's a program called MCAT?

6 A MCAT.

7 Q And where is that program?

8 A I'm down at University Hospital.

9 Q What do you do at University Hospital?

10 A I'm a patient tech.

11 Q A patient tech?

12 A Yes.

13 Q And are you working towards a degree?

14 A Not at the moment.

15 Q You're working more towards employment?

16 A Yes.

17 Q In candor, I actually met you there yesterday,
18 didn't I?

19 A Yes.

20 Q Now, Ms. Streams, I want to you ask you about
21 June 19, 2008. Do you remember that day?

22 A Yes.

23 Q On June 19, 2008, did you receive any phone call
24 from Mr. Robinson?

25 A Yes.

1 Q Do you remember what time you got that phone
2 call approximately?

3 A It was before 9:30, between 9 and 9:30.

4 Q What was said in that phone call?

5 A When he called, he stated that he had just got
6 pulled over and the officers were running the
7 information, and I was letting him know that the car
8 wasn't in my name. It was my car, but it's not in my
9 name. I told him to let the officer know that the car
10 wasn't in my name.

11 Then I heard someone --

12 Q Let me stop you right there. Whose name was it
13 in?

14 A My cousin, Crystal.

15 Q Who is your cousin?

16 A Crystal Gilliam.

17 Q When Mr. Robinson called you and told you that
18 he had been pulled over, what was his demeanor like?

19 A He just said the officers pulled him over, and
20 they were running the information.

21 Q Did he tell you what they pulled him over for?

22 A No.

23 Q You were about to say that you then heard
24 something else. What were you about to say?

25 A As we were talking, I heard someone come to the

1 window and say get out of the car, we want to search
2 the car, and I heard John respond and say no.

3 Q The voice you heard say get out of the car, I
4 want to search the car, was that John's voice?

5 A No.

6 Q Did you recognize the voice?

7 A No.

8 Q But you remember hearing those words?

9 A Yes.

10 Q Then what happened?

11 A The person said it again. They said it twice.

12 The second time John responded and said why do you
13 want to search the car; no, I'm not getting out.

14 Q Then what happened.

15 A I asked John to call his father, and we hung up.

16 Q And you could hear this clearly?

17 A Yes.

18 Q You heard clearly what was spoken?

19 A Yes.

20 Q And you told John what?

21 A To call his dad, give his dad a call.

22 Q Did you ever hear from John again that day?

23 A Yes.

24 Q When was that?

25 A He was I believe already back at the Northwest,

1 I believe.

2 Q It was later in the day?

3 A Yeah.

4 Q Incidentally, what is your phone number?

5 A 443-927-5037.

6 Q 443-927-5037?

7 A That's correct.

8 MR. HURSON: Thank you, Ms. Streams.

9 THE WITNESS: You're welcome.

10 CROSS-EXAMINATION

11 BY MR. FUCHS:

12 Q Good afternoon, Ms. Streams.

13 A How you doing?

14 Q You're the owner of the red Ford Escort; is that
15 correct?

16 A It's in my cousin's name, but I drive it.

17 Q On the morning of June 19th of 2008, did you let
18 John Robinson drive that car?

19 A Yes.

20 Q Okay. And what time did he leave your house?

21 A I have no idea. I was at work.

22 Q What time did you leave for work that day?

23 A About 5:30 in the morning.

24 Q Had you given Mr. Robinson permission to use
25 your car?

1 A Yes.

2 Q Did he use it regularly?

3 A Yes.

4 Q How did you get to work that morning?

5 A I rode with a neighbor.

6 Q Did you usually get to work that way?

7 A Yes.

8 Q The previous day had you used the red Ford
9 Escort, what would be the 18th?

10 A I may have, but that morning -- probably later
11 on during the day.

12 Q Do you remember if John Robinson used the car
13 that day? This is the 18th I'm talking about.

14 A Correct. I really can't remember on that day.

15 Q Okay. Is it possible that he used it?

16 A It's possible.

17 Q Could he use it really whenever he wanted?

18 A Yeah.

19 Q And did you keep it at your house?

20 A Yes.

21 Q Did Mr. Robinson have a set of your keys?

22 A Yes.

23 Q Did you know if he was going to use your car on
24 the morning of the 19th?

25 A No. I didn't know he was going anywhere.

1 Q Do you own a gun?

2 MR. HURSON: Objection, Your Honor, beyond the
3 scope.

4 THE COURT: Sustained.

5 Q When was the last time you were in the car prior
6 to the 19th?

7 MR. HURSON: The same objection, Your Honor.

8 THE COURT: Overruled.

9 Q If you remember.

10 A The last time I was in the car?

11 Q Uh-huh.

12 A Usually I would be in my car like after I get
13 off of work, if I had to go somewhere. That's about
14 like after 4 o'clock in the evening. I'm not exactly
15 sure of the exact date or time.

16 Q Okay. That's fine. You said that you heard
17 from Mr. Robinson the morning of the 19th; is that
18 right?

19 A Yes.

20 Q About what time?

21 A It was like between 9 and 9:30.

22 Q How do you know it was that time?

23 A Because I left work at 10 o'clock.

24 Q I'm sorry, you left work at 10 o'clock?

25 A At 10 o'clock.

1 Q Where did you go when you left work?

2 A Where did I go? I don't recall the exact spot I
3 went to after I left work.

4 Q How do you remember that you left at ten?

5 A Because I was going to try to get the car out
6 that day.

7 Q I'm sorry, when you say get the car out --

8 A I was going to try to get the car out that day.

9 Q What do you mean by that? I'm sorry.

10 A I was going to try to recover my car back
11 because they had towed it.

12 Q You're saying you were going to get it back from
13 the police that day?

14 A Yeah.

15 Q So you left at a certain point to go get your
16 car?

17 A Yeah, to go see my car.

18 Q So how do you know it was 10 a.m.?

19 A Because we have to sign out, and I know what
20 time I signed out.

21 Q Do they keep a log of what time you sign out?

22 A Yes.

23 Q Do you have a copy of that by any chance?

24 A No, I don't.

25 Q Do you know who keeps that log?

1 A The job, the job.

2 Q Your job?

3 A Yes.

4 Q Would your supervisor have that log?

5 A Yes.

6 Q And what is her name or his name?

7 MR. HURSON: Objection, Your Honor.

8 THE COURT: Sustained.

9 Q You said you did get a call from Mr. Robinson at
10 a certain point; is that correct?

11 A Yes.

12 Q That was roughly 9:30?

13 MR. HURSON: Objection, asked and answered.

14 MR. FUCHS: I'm sorry. I'm just trying to
15 clarify for myself.

16 THE COURT: Between 9 and 9:30 is what she said.

17 MR. FUCHS: Okay.

18 BY MR. FUCHS:

19 Q What did you hear Mr. Robinson say, if you
20 remember the exact words?

21 A He stated to me that he has been pulled over.

22 Q Did he say where he was?

23 A Well, he did give me a location of where he was
24 because I had someone else to go up there to that
25 location to try to recover the keys to my car.

1 Q Who was that person?

2 A That's my cousin, Ebony Phillips.

3 Q And so what was your understanding of where he
4 was?

5 A He was at Hilton and -- it's a street off of
6 Hilton.

7 Q Did he say if anyone was with him in the car?

8 A No, he didn't say anything.

9 Q You testified that you heard someone tell Mr.
10 Robinson to get out of the car; is that correct?

11 A Twice, yes.

12 Q Was that twice in a short amount of time?

13 A I heard the person say it twice.

14 Q How did they say it? What was the impression
15 you got? Did he say it urgently?

16 A Yeah, like get out of the car.

17 Q Did it sound like a command?

18 A We want to search the car.

19 Q Do you know exactly what time that was when you
20 heard that command?

21 A No.

22 Q Just so I'm clear, your phone number is
23 443-927-5037. Is that correct?

24 A Correct.

25 Q When Mr. Robinson called you that day, what

1 phone did he call you on?

2 A His cell phone.

3 Q What is your understanding of his cell phone
4 number?

5 A 410-948-8532.

6 Q I think you said you heard from him at the time
7 he was stopped and ordered out of the car; is that
8 correct?

9 A At the time he was stopped?

10 Q No. I'm sorry. What you were just referring
11 to, when he was ordered out of the car.

12 A He called me after he got pulled over.

13 Q Okay. Then he called you again, you testified,
14 when he was in the bull pen; is that correct?

15 A I'm not exactly sure where he was, but he did
16 give me another call.

17 Q And when exactly was that?

18 A I don't know. I don't know the time.

19 Q Would you say that was -- I mean was it roughly
20 an hour later? Was it five minutes later?

21 A It wast probably like about, probably an hour
22 later, if that.

23 Q Do you remember exactly what he said?

24 A No.

25 Q Did you know where he was calling from?

1 A No.

2 Q Did you receive any other calls from him that
3 day?

4 A Later on.

5 Q How much later on?

6 A From the jail, a call from the jail.

7 Q Was that on his cell phone as well?

8 A That was on my cell phone.

9 Q Okay. And do you remember approximately what
10 time that was?

11 A No.

12 Q Was it in the afternoon, if you remember?

13 A I just know it was later on.

14 Q So all three of those phone calls that you
15 received from Mr. Robinson, did you receive all of
16 them on his cell phone?

17 A On my cell phone?

18 Q I'm sorry. I understand you're saying on your
19 cell phone. Was it your understanding that they were
20 coming from his cell phone, that he used his cell
21 phone to call you?

22 A The first call, and the one from the jail, he
23 didn't use his cell phone.

24 Q Okay. And that's the third call, right?

25 A Yes.

1 Q So the first and second call was from his cell
2 phone. The third call was from the jail?

3 A Yes.

4 MR. FUCHS: No further questions, Your Honor.

5 REDIRECT EXAMINATION

6 BY MR. HURSON:

7 Q Ms. Streams, this '91 Ford Escort that you were
8 asked about, how long have you had it?

9 A It's two years now.

10 Q Two years. Does it have air-conditioning?

11 A No.

12 Q Is it broken?

13 A Yes.

14 Q So when you drive around, and if it's warm, what
15 do you do?

16 A Roll the windows down.

17 Q On June 19th you were dating Mr. Robinson; is
18 that right?

19 A Yes.

20 Q Would you guys talk on the phone throughout the
21 day?

22 A Yes.

23 Q Is it safe to say you don't remember June 19th
24 perfectly?

25 A I remember the morning part perfectly, but

1 towards the end, no.

2 Q Is it possible that you and Mr. Robinson spoke
3 several times that day?

4 A I don't recall how many times I spoke to him,
5 but --

6 Q But you do recall getting a call --

7 A Yes.

8 Q -- where you heard someone say we want to search
9 the car?

10 A Yes, I remember that.

11 Q After you hung up the phone with Mr. Robinson --
12 I believe you testified you said call your parents --
13 what did you do then?

14 A I tried to get off of work.

15 Q Why?

16 A So that I could try to go recover my car.

17 Q Did you call anybody?

18 A I called his parents.

19 Q And did you call anybody else?

20 A I called my cousin, Ebony, to go up to the
21 location.

22 Q And why did you do that?

23 A To see if she could try to get the keys so they
24 wouldn't tow the car.

25 MR. HURSON: No further questions. Thank you so

1 much.

2 THE COURT: Anything else?

3 MR. FUCHS: Just one further question, Your
4 Honor.

5 RECROSS EXAMINATION

6 Q Ms. Streams, how did you know the car was being
7 towed?

8 A How did I know the car was being towed? My
9 cousin had got up there, and I had called her.

10 Q Did she?

11 A And she --

12 Q I'm sorry. Did she speak to anyone?

13 A Say it again.

14 Q Did she speak to someone?

15 A Yes. She said she spoke to the officer and the
16 officer told her that he couldn't hand the keys over.

17 MR. FUCHS: Thank you.

18 THE WITNESS: You're welcome.

19 MR. FUCHS: No further questions, Your Honor.

20 MR. HURSON: That's all, Ms. Streams. Thank
21 you.

22 THE COURT: Thank you very much.

23 THE WITNESS: You're welcome.

24 THE COURT: You can step down.

25 MR. HURSON: I have two more brief witnesses,

1 Your Honor.

2 THE COURT: Okay.

3 MR. HURSON: Your Honor, the defense calls Ms.
4 Ebony Phillips.

5 THE COURT: Okay.

6 THE CLERK: Please raise your right hand.

7 EBONY PHILLIPS

8 a witness called on behalf of the Defendant, having
9 been previously duly sworn, was examined and testified
10 as follows:

11 THE CLERK: Please be seated.

12 Please speak directly into the microphone.

13 State your full name for the record and spell your
14 last name, please.

15 THE WITNESS: Ebony Phillips, P H I L L I P S.

16 THE CLERK: Thank you.

17 DIRECT EXAMINATION

18 BY MR. HURSON:

19 Q Good afternoon, Ms. Phillips.

20 A Good afternoon.

21 Q Do you know Mr. Robinson?

22 A Yes.

23 Q How do you know him?

24 A He's a friend of my cousin.

25 Q And who is your cousin?

1 A Charlene Streams.

2 Q Did you just pass Charlene coming into the
3 courtroom?

4 A Yes.

5 Q On June 19, 2008, did you receive a phone call
6 from Ms. Streams?

7 A Yes, I did.

8 Q Do you remember approximately when that was?

9 A It was early in the morning, a little after nine
10 or so.

11 Q And what did Ms. Streams tell you in that call?

12 A She said John had been arrested, see if I could
13 go down there and get her car from --

14 Q I'm sorry. I didn't mean to cut you off.
15 Get her car, is that what she said?

16 A Yes, and she told me where it was, and see if I
17 can get her car.

18 Q And where was it that she told you?

19 A She told me it was on Hilton, closer to
20 Springdale.

21 Q Do you live over in that area?

22 A Yes.

23 Q So did you head down there?

24 A Yes. I got right in my car and went down there.
25 It was about two minutes.

1 Q And what did you see when you got there?

2 A John was sitting on the ground handcuffed, and
3 his hands were behind his back, and the police were
4 standing around him. One was in the car.

5 Q The police were standing around him, and one was
6 in what car?

7 A One was in a police car. It was one parked in
8 front of -- her car was in the middle. One was parked
9 in front of it, and one was parked behind it.

10 Q How many officers did you see?

11 A Three.

12 Q Did you say one was a female?

13 A I didn't see any females.

14 Q I may have misheard you. I'm sorry. I thought
15 you said her.

16 A No.

17 Q What was going on, if anything, at the red Ford
18 Escort?

19 A They were just standing near the car. Somebody
20 was in the car. They was just standing around.
21 Eventually they went inside the car and was checking
22 it, and took a black bag out of the car.

23 Q You saw them take a black bag out of the car?

24 A Yes.

25 Q Where did they put it?

1 A On top of -- on the roof.

2 Q And where were you when you saw all of this?

3 A I was just right across the street, as me and
4 you.

5 Q About this far away?

6 A Yes.

7 Q Did you have any interaction with the officers?

8 A Yes. I asked them could I take her car, and
9 they said no, it was going to be under investigation.

10 Q Did you have any interaction with Mr. Robinson?

11 A Yes. He just told me to tell my cousin that he
12 loved her.

13 Q The officers, or the two people you just saw
14 sitting out there, do you recognize them?

15 A I can't remember their faces, sir.

16 Q Okay. You weren't able to get the car, correct?

17 A No.

18 MR. HURSON: No further questions. Thank you.

19 THE WITNESS: You're welcome.

20 THE COURT: Any questions?

21 MR. FUCHS: Yes, Your Honor, just briefly.

22 CROSS-EXAMINATION

23 BY MR. FUCHS:

24 Q Ma'am, did you see Mr. Robinson get pulled over?

25 A No.

1 Q Did you see him get pulled out of the car by the
2 police?

3 A No.

4 Q Did you see the police search his car at any
5 point?

6 A Yeah, they were looking inside it. He, by the
7 time I got there, he was sitting on the ground with
8 his hands behind his back, with his handcuffs on.

9 A little bit later on, they went inside the car
10 looking under the seat and everything, pulled out a
11 black bag.

12 Q How many officers did you see go in the car?

13 A Two.

14 Q Did you see them pull anything out of the car?

15 A No.

16 Q Did you see anyone standing near Mr. Robinson?

17 A There was one officer. They were standing near
18 him before they went inside the car, but other than
19 that, no.

20 Q Did anyone have their weapon out?

21 A No.

22 Q Did Mr. Robinson seem to be in any distress?

23 A No.

24 Q Did he seem to have been abused in any way?

25 A No.

1 MR. FUCHS: No further questions, Your Honor.

2 THE COURT: Anything else?

3 MR. HURSON: Nothing, Your Honor.

4 THE COURT: Thank you, Ms. Phillips.

5 THE WITNESS: You're welcome.

6 THE COURT: You're excused.

7 MR. HURSON: Your Honor, the defense has one
8 more witness, Ms. Mary Robinson.

9 THE COURT: Okay.

10 THE CLERK: Please raise your right hand.

11 MARY HOPE ROBINSON

12 a witness called on behalf of the Defendant, having
13 been previously duly sworn, was examined and testified
14 as follows:

15 THE CLERK: Please be seated.

16 Please speak directly into the microphone.
17 State your full name for the record, and spell your
18 last name, please.

19 THE WITNESS: Mary Hope Robinson, R O B I N S O N.

20 THE CLERK: Thank you.

21 DIRECT EXAMINATION

22 BY MR. HURSON:

23 Q Good afternoon, Ms. Robinson.

24 A Good afternoon.

25 Q You know Mr. Robinson, correct?

1 A Yes.

2 Q And how do you know him?

3 A He's my son.

4 Q Ms. Robinson, where are you employed?

5 A I work for the Division of Correction.

6 Q And where do you work specifically?

7 A I work at Maryland Reception, Diagnostic and
8 Classification Center.

9 Q MRDCC?

10 A Yes.

11 Q I'll make this as brief as possible. I want to
12 ask you if you remember June 19, 2008?

13 A I remember the incident that you are referring
14 to. The exact date, I think that's the date. I don't
15 remember the exact date, but the incident I do
16 remember.

17 Q The day that John got arrested?

18 A Yes.

19 Q Do you remember that morning receiving any
20 telephone calls from anyone?

21 A Yes.

22 Q Before I ask you anything else, what's your
23 phone number?

24 A My phone number is 410-944-4116.

25 Q That morning, when you received a phone call,

1 who was it from?

2 A I received a phone call from -- well, that I
3 actually talked to?

4 Q That's the one I'm referring to.

5 A Okay. I received it from his girlfriend,
6 Charlene.

7 Q And what did Charlene tell you?

8 A Charlene told us that John had tried to call us
9 and that the police had stopped him.

10 Q Did you talk to Charlene for a while, or was it
11 brief?

12 A My husband talked to her. It wasn't that long
13 of a call.

14 Q Then what did you do after you talked to
15 Charlene?

16 A I told my husband to check the answering
17 service, because he might have left a message.

18 Q When you say he, you mean John?

19 A John, yes.

20 Q Did you check the message?

21 A Yes.

22 Q And what was on it?

23 A It was a call where all we could hear was
24 someone in the background saying it's a simple
25 request.

1 Q You heard someone in the background of the call
2 saying it's a simple request?

3 A Yes.

4 Q Did you hear anything else?

5 A No, that's all we heard, was it's a simple
6 request.

7 MR. HURSON: No further questions, Your Honor.

8 THE COURT: Mr. Fuchs.

9 CROSS-EXAMINATION

10 BY MR. FUCHS:

11 Q Ms. Robinson, just a few quick questions.

12 Do you know what time that phone call came in?

13 A I know it was before 10 o'clock. At the exact
14 time, I'm not sure, but it was before ten.

15 Q How do you know that?

16 A Because what I did was when Charlene called,
17 which I also know was before 10 o'clock because when
18 the phone rung the first time, by the time we went to
19 answer it, they had already hung up.

20 Then right after that, Charlene called a few
21 minutes later, and that's when she said that the
22 police had stopped John, and I looked at the clock
23 next to the bed. I say that probably was him that was
24 calling. That's what made me tell my husband to check
25 and see if he had left a message.

1 Q When you say he left a message on the answering,
2 was it an answering machine or an answering service?

3 A It's the answering service.

4 Q Do you have any records of any messages that
5 were left?

6 A The message that was left, we had tried to save
7 it, but it got erased. But what I did do, I pulled up
8 the telephone bill, because all the cell phones are in
9 my name. I pulled it off the computer because in
10 order to get the phone bill sent to your house, they
11 charge you for every page now. So our phone bill, by
12 it being four different phones, I chose not to opt
13 that.

14 So they said we can pull it off the computer,
15 and that's what I did. I pulled the phone bill off
16 the computer to get the times that he had called.

17 MR. FUCHS: Thank your very much.

18 I'm sorry, Your Honor. Court's indulgence.

19 (Pause.)

20 BY MR. FUCHS:

21 Q What is Mr. Robinson's cell phone number?

22 A What's his cell phone number?

23 Q Yes, ma'am, if you remember.

24 A The exact number -- I know it's 410-948.

25 Offhand, I don't remember his exact phone number. But

1 it's four different phone numbers, and all of them
2 begin with 410-948.

3 Also, his number comes under the name of Shots.

4 MR. FUCHS: Okay. Thank you.

5 THE WITNESS: You're welcome.

6 REDIRECT EXAMINATION

7 BY MR. HURSON:

8 Q Ms. Robinson, I'm going to show you what has
9 been marked as Defendant's Exhibit 8. Do you
10 recognize that?

11 A Yes.

12 Q How do you recognize that?

13 A Because this is the phone bill that I had pulled
14 off the Internet, and also it has my son, the name
15 that he goes under, because each phone number has
16 their own different name on it. He, like I said, he
17 goes with the name of Shots.

18 Q That's just a couple pages of that phone bill,
19 correct?

20 A Yes.

21 Q When you got that phone bill off the Internet,
22 what did you do?

23 A I looked for the date in question and I looked
24 at the time of the phone call that he called our house
25 and also that Charlene had called, because they were

1 saying that, they were saying that they stopped him at
2 a certain time, and I was like the phone call came way
3 before the time that they said they stopped him, and
4 that wasn't true.

5 Also, when he sent me a copy of his charges, I
6 looked in there also at the time and I said that
7 couldn't possibly be right, because the phone bill to
8 me doesn't lie in the time that Charlene called me and
9 from the first call when I received from him.

10 Q Did you print that phone bill out?

11 A Yes, I did.

12 Q And did you send a copy to me?

13 A Yes, I did.

14 Q That voice that you heard saying it's a simple
15 request, that was not John's voice?

16 A No. It wasn't John's voice at all.

17 Q Can you describe the tone of that voice?

18 A The tone was like hostile to me because they
19 were like it's a simple request, you know, like you're
20 talking down to someone and you're demanding them to
21 do what you say you want them to do.

22 Q At the time that you and I first spoke after I
23 was appointed to represent your son, was that voice
24 mail already destroyed or gone or whatever happened to
25 it?

1 A I don't think it was at that time. I'm not a
2 hundred percent sure. I just know that we went to
3 listen to it again because we wanted you to hear it
4 and it wasn't on there, because after that particular
5 time, I couldn't get into it because I didn't have the
6 code. My husband had the code.

7 MR. HURSON: No further questions, Your Honor.
8 Thank you.

9 THE WITNESS: You're welcome.

10 THE COURT: Mr. Fuchs, anything else?

11 MR. FUCHS: No, Your Honor.

12 THE COURT: Thank you very much, Ms. Robinson.

13 THE WITNESS: You're welcome.

14 THE COURT: You can step down.

15 MR. HURSON: Your Honor, if I could have one
16 second? I may need to call our last witness or I may
17 not.

18 (Pause.)

19 Your Honor, what I was explaining to the
20 government, a video that I took, unfortunately I
21 thought that I could just put it into a DVD player,
22 but I think it needs to be played on a computer. I
23 was going to play it for everybody here.

24 Mr. Fuchs has not heard seen it. It is actually
25 the drive from the intersection where the officers

1 have testified that Mr. Robinson ran a stop sign, up
2 to the intersection of Hilton and Powhatan, and then
3 right. It sort of details the drive that day.

4 I think it would be of benefit to the Court to
5 see it, but I can't introduce it.

6 I think the government, once they get a look at
7 it, will not object to sending it, to allow me to send
8 it to Your Honor as an unobjected exhibit.

9 MR. FUCHS: That's correct, Your Honor. I would
10 just like to look at it first.

11 THE COURT: Sure. Okay.

12 MR. HURSON: Beyond that, Your Honor, the
13 defense has no more witnesses.

14 THE COURT: Okay. Other than the DVD which is
15 going to come in, do you know at this point --

16 I'm assuming from what I'm hearing that perhaps
17 we need to see if we can find sometime next week for
18 the argument after I have had a chance to look at the
19 DVD then I guess.

20 MR. HURSON: I would be happy to set aside time.
21 I could also -- I may also order a transcript.

22 My position at this point is there are some
23 tremendous factual discrepancies that have been
24 presented both within the testimony of the officers,
25 compared to the officers' own reports, and then

1 obviously between witnesses that I have presented and
2 other officers. It may be beneficial to have a
3 transcript.

4 I certainly did not file any written response
5 because I honestly wasn't sure what I was going to
6 hear.

7 THE COURT: Okay.

8 MR. HURSON: Having heard what I've heard, I
9 have some idea of what I think the legal issues now
10 can be distilled to, but I would welcome additional
11 time, if the Court would allow it, to review a
12 transcript. It may take more than a week, but the
13 defense certainly has no objection to any delays that
14 it may take to resolve this.

15 THE COURT: All right. Do you know at this
16 point, Mr. Fuchs, whether it is likely that you --
17 there's any other evidence that you would want to
18 present?

19 MR. FUCHS: It's unclear at this time, Your
20 Honor. It would be helpful to take a day or two and
21 go through what we have learned here today and see if
22 we can collect some more evidence to corroborate or
23 disprove some of what we have heard.

24 THE COURT: Okay.

25 MR. HURSON: On that note, I did subpoena

1 telephone records. I have these records that I have
2 already introduced. I don't think there is any
3 dispute over the authenticity of these. If there was
4 any issue, I had attempted to subpoena from AT&T an
5 actual stamped sealed copy, but honestly, I didn't
6 foresee any problems, and I don't think anyone is
7 challenging that that's a legitimate bill.

8 MR. FUCHS: Truth be told, Your Honor, I have
9 absolutely no idea where that bill came from. I'm
10 certainly not questioning Mr. Hurson's representation,
11 but I would like to know a lot more about that bill,
12 how it's compiled, the time stamps on it.

13 THE COURT: Okay. Let's see. Counsel, if
14 you've got your calendars, you can either come back
15 right now or we can work out a conference call maybe
16 for next week, Tuesday sometime.

17 MR. FUCHS: That will be fine, Your Honor.

18 THE COURT: Then a schedule for the written
19 submissions and a further hearing.

20 MR. HURSON: That would be fine. Actually, the
21 Marshal Service just reminded me that Mr. Robinson, if
22 we do come back, would have to be writted out again,
23 which would take, even though he is only less than a
24 mile away, I think it would take two weeks to do that?

25 DEPUTY U.S. MARSHAL: That's I believe the

1 amount of time the Baltimore City Jail is requesting
2 to process a writ.

3 MR. FUCHS: Ten days.

4 MR. HURSON: Ten days.

5 THE COURT: We're talking at least, I assume
6 we're talking at least ten days or two weeks if you
7 want time to get a transcript and consider legal
8 argument, and you're going to consider whether you
9 have any additional evidence. I mean it sounds to me
10 like we're talking a couple weeks anyway.

11 MR. HURSON: I would be happy to come back right
12 now and schedule a new time.

13 MR. FUCHS: That's fine, Your Honor.

14 THE COURT: All right. We will adjourn for
15 today, and counsel can just come back in chambers in a
16 couple minutes and we will look at the calendar.

17 (The proceedings concluded.)
18
19
20
21
22
23
24
25

INDEX

GOVERNMENT'S WITNESSES	PAGE
ERIC HANS OSWALD	
By Mr. Fuchs:	3
By Mr. Hurson:	15
MATTHEW HERMAN	
By Mr. Fuchs:	29-66
By Mr. Hurson:	44
DEFENDANT'S WITNESS	
JOHN WESLEY ROBINSON, JR.	
By Mr. Hurson:	67-110
By Mr. Fuchs	88
CHARLENE STREAMS	
By Mr. Hurson:	113-125
By Mr. Fuchs:	117-127
EBONY PHILLIPS	
By Mr. Hurson:	128
By Mr. Fuchs:	131
MARY HOPE ROBINSON	
By Mr. Hurson:	133-138
By Mr. Fuchs:	136
GOVERNMENT'S MOTION EXHIBITS	MARKED REC'D
1	5
2	6
3	8

	DEFENDANT'S MOTION EXHIBITS	MARKED	REC'D
1			
2	1		17
3	2		44
4	4		50
5	5		18
6	6		72
7	7		74
8	8		79
9	9		73
10	14		75
11	16		24
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

REPORTER'S CERTIFICATE

I hereby certify that the foregoing transcript in the matter of United States of America vs. John Wesley Robinson, Jr., Defendant, Criminal Action No. CCB-08-0586, before the Honorable Catherine C. Blake, United States District Judge, on June 12, 2009 is true and accurate.

Gail A. Simpkins

Official Court Reporter

\$	128 [1] - 145:17 12:26 [2] - 57:10, 57:21 12:43:26 [1] - 64:9 131 [1] - 145:18 133-138 [1] - 145:20 136 [1] - 145:21 14 [3] - 75:8, 75:11, 146:10 15 [3] - 15:8, 74:20, 145:5 16 [4] - 24:20, 24:21, 25:16, 146:11 16:14:03 [1] - 58:5 17 [1] - 146:2 18 [1] - 146:5 18th [4] - 69:6, 80:14, 118:9, 118:13 19 [5] - 68:15, 114:21, 114:23, 129:5, 134:12 1913 [1] - 105:25 1991 [1] - 70:3 19th [21] - 3:25, 15:20, 30:5, 69:4, 69:9, 70:23, 73:5, 80:14, 86:21, 87:11, 88:3, 109:21, 110:21, 110:24, 111:19, 117:17, 118:24, 119:6, 119:17, 125:17, 125:23 1:30 [1] - 45:11	3	6B25 [6] - 16:5, 53:8, 53:19, 53:22, 54:20, 57:10	accurate [6] - 6:19, 8:18, 32:11, 33:20, 47:15, 147:7 accused [1] - 88:17 Action [1] - 147:4 activated [5] - 9:4, 9:21, 19:1, 48:1, 48:2 activity [4] - 80:15, 85:17 actual [1] - 143:5 added [1] - 52:6 additional [2] - 142:10, 144:9 address [1] - 54:15 adjourn [1] - 144:14 admissibility [1] - 88:19 admissions [1] - 88:25 admit [2] - 44:20, 89:6 advise [2] - 17:17, 67:2 affixed [1] - 31:24 afternoon [14] - 2:5, 2:10, 15:18, 15:19, 29:24, 88:1, 88:2, 113:5, 117:12, 124:12, 128:19, 128:20, 133:23, 133:24 afterwards [1] - 83:17 ago [2] - 51:13, 53:4 ahead [2] - 2:17, 111:16 ain't [1] - 69:2 air [6] - 70:5, 70:13, 70:19, 96:24, 97:3, 125:10 air-conditioning [5] - 70:5, 70:19, 96:24, 97:3, 125:10 alcohol [1] - 44:3 Alcohol [1] - 2:8 allow [2] - 141:7, 142:11 almost [2] - 35:12, 52:3 AMERICA [1] - 1:4 America [1] - 147:3 amount [4] - 27:1, 92:18, 122:12, 144:1 Andrew [2] - 63:4, 65:3 angle [1] - 74:9 answer [6] - 78:22, 82:18, 82:25, 88:16, 111:16, 136:19 answered [2] -	
\$130 [1] - 28:5 \$15 [1] - 90:11 \$90 [1] - 26:16		3 [5] - 8:10, 8:12, 33:13, 145:4, 145:25 300 [1] - 64:11 3000 [4] - 4:16, 4:23, 9:6, 96:10 3704 [2] - 69:16, 69:22	7	7 [3] - 74:8, 74:12, 146:7 72 [1] - 146:6 73 [1] - 146:9 74 [1] - 146:7 75 [1] - 146:10 79 [1] - 146:8 7:30 [9] - 30:11, 68:24, 69:9, 71:3, 89:14, 89:15, 89:16, 91:20, 92:17	
'					
'91 [1] - 125:7		4	8	8 [11] - 4:3, 71:3, 79:6, 79:7, 79:11, 89:15, 89:16, 92:17, 138:9, 145:25, 146:8 83 [5] - 71:23, 90:17, 92:10 86 [1] - 28:2 88 [1] - 145:12 8:43 [1] - 107:1	
0		4 [7] - 4:3, 50:4, 50:6, 50:13, 53:8, 119:14, 146:4 410-245-2744 [2] - 107:14, 111:2 410-944-4116 [2] - 82:17, 134:24 410-944-4146 [1] - 107:7 410-948 [2] - 137:24, 138:2 410-948-3582 [1] - 79:4 410-948-8532 [1] - 123:5 44 [3] - 26:8, 145:8, 146:3 443-631-0119 [1] - 111:22 443-768-1913 [1] - 105:24 443-768-1923 [1] - 105:17 443-927-5037 [5] - 79:2, 106:22, 117:5, 117:6, 122:23 4:30 [1] - 30:11	9	9 [6] - 73:15, 73:17, 115:3, 119:21, 121:16, 146:9 9-1-1 [2] - 107:24, 108:2 9:30 [10] - 77:22, 91:6, 91:14, 91:18, 91:21, 115:3, 119:21, 121:12, 121:16 9:37 [2] - 52:14, 53:1	
08 [1] - 51:20 08-cr-586 [1] - 2:4 086 [1] - 52:2 09887 [2] - 51:20, 52:2 09:37 [1] - 53:8 09:37:25 [3] - 50:23, 51:1, 51:3		5	A	a.m [11] - 4:3, 7:12, 18:4, 30:11, 31:9, 33:3, 47:10, 47:11, 106:6, 107:1, 120:18 able [5] - 20:25, 22:20, 48:23, 48:25, 131:16 above-entitled [1] - 1:12 absolutely [2] - 67:12, 143:9 abused [1] - 132:24	
1		5 [4] - 18:9, 18:10, 145:23, 146:5 50 [1] - 146:4 5:30 [2] - 106:13, 117:23 5:33 [1] - 106:6			
1 [14] - 5:17, 5:19, 7:17, 9:8, 17:5, 17:8, 31:11, 34:8, 44:16, 45:2, 47:4, 51:21, 145:23, 146:2 10 [11] - 31:9, 33:3, 47:10, 47:11, 47:18, 119:23, 119:24, 119:25, 120:18, 136:13, 136:17 10-8 [1] - 52:22 104(d) [2] - 88:13, 94:12 104(d) [1] - 93:10 10:19 [7] - 7:12, 18:4, 47:13, 47:18, 47:19, 58:16, 58:17 10:23 [2] - 53:19, 53:25 10:23:58 [1] - 53:15 10:24:30 [1] - 54:14 10:26 [5] - 54:20, 55:7, 55:14, 55:21, 57:6 10:26:10 [1] - 55:12 10:26:19 [1] - 55:18 10:26:22 [1] - 56:10 10:28 [2] - 56:23, 57:21 10:28:06 [1] - 56:17 11 [2] - 107:21, 108:2 113-125 [1] - 145:14 117-127 [1] - 145:15 12 [2] - 1:9, 147:6	2	6 [4] - 72:5, 72:8, 145:24, 146:6 6-19 [1] - 105:20 67-110 [1] - 145:11 6B21 [3] - 16:8, 16:9, 54:20			
	2	6			
	2 [10] - 6:10, 6:11, 32:1, 44:16, 44:17, 46:6, 46:17, 46:19, 145:24, 146:3 20 [1] - 74:20 2006 [1] - 107:21 2008 [8] - 30:5, 68:15, 88:3, 114:21, 114:23, 117:17, 129:5, 134:12 2009 [2] - 1:9, 147:6 21 [3] - 5:23, 5:24, 16:13 21-707A [2] - 26:8, 26:9 24 [1] - 146:11 26-203 [1] - 28:3 2700 [1] - 33:16 28 [1] - 68:5 29-66 [1] - 145:7				

<p>100:7, 121:13 answering [6] - 82:21, 135:16, 137:1, 137:2, 137:3 anytime [3] - 43:14, 43:25, 66:5 anyway [1] - 144:10 apartment [1] - 71:20 apologize [3] - 11:25, 96:22, 111:17 appear [7] - 25:1, 25:3, 25:20, 25:24, 27:4, 44:2, 44:5 appearance [4] - 25:14, 26:4, 26:19, 27:7 appearances [1] - 27:5 apply [1] - 88:15 appointed [1] - 139:23 approach [6] - 9:23, 10:3, 34:18, 34:23, 35:5, 44:11 approached [14] - 10:4, 10:12, 10:13, 10:20, 20:20, 34:24, 36:19, 36:21, 49:13, 49:14, 49:25, 59:1, 77:8, 97:25 approaching [1] - 35:1 approximate [2] - 6:23, 111:10 approximated [1] - 92:17 area [19] - 4:15, 5:25, 9:12, 16:13, 16:14, 30:23, 31:15, 74:9, 74:21, 102:25, 103:1, 103:9, 103:13, 104:7, 104:12, 104:16, 110:9, 110:19, 129:21 areas [2] - 16:17, 16:20 argument [3] - 94:14, 141:18, 144:8 arm [1] - 38:5 arrest [1] - 101:12 arrested [9] - 27:11, 27:12, 27:14, 27:15, 101:11, 101:24, 102:3, 129:12, 134:17 article [1] - 25:5 articles [2] - 24:25, 25:2 aside [2] - 110:21, 141:20 assess [1] - 94:21</p>	<p>assessing [1] - 89:4 assigned [3] - 56:9, 56:18, 56:23 assignment [4] - 3:23, 4:14, 30:7, 30:21 ASSN [1] - 56:7 ASSN-TOW [1] - 56:7 assume [4] - 2:15, 89:7, 89:9, 144:5 assuming [1] - 141:16 AT&T [1] - 143:4 attach [1] - 52:10 attempted [5] - 48:16, 49:8, 54:6, 54:7, 143:4 attempting [3] - 53:25, 54:2, 54:3 attention [1] - 45:2 Attorney [5] - 63:4, 63:8, 63:16, 63:17, 63:19 attorney [1] - 63:15 attorneys [1] - 63:9 aunts [1] - 69:18 authenticity [1] - 143:3 automatic [2] - 99:23, 99:24 Avenue [4] - 34:15, 55:17, 69:16, 85:2 awake [1] - 106:6 aware [1] - 67:10 awkwardness [1] - 86:11 Azur [1] - 2:7</p>	<p>bald [1] - 77:18 Baltimore [8] - 1:8, 3:19, 5:3, 30:1, 68:7, 89:19, 91:24, 144:1 barrel [1] - 42:3 based [1] - 61:1 bazookas [2] - 81:8, 81:10 bed [1] - 136:23 begin [2] - 21:1, 138:2 beginning [1] - 68:18 behalf [6] - 2:12, 3:5, 29:12, 112:15, 128:8, 133:12 behind [10] - 42:9, 76:7, 76:22, 78:14, 78:15, 86:13, 99:7, 130:3, 130:9, 132:8 belief [1] - 28:20 belonged [1] - 11:23 below [3] - 27:14, 55:16, 56:7 beneficial [1] - 142:2 benefit [1] - 141:4 between [12] - 13:18, 52:6, 56:3, 57:21, 59:17, 76:1, 83:22, 92:17, 115:3, 119:21, 142:1 Between [4] - 71:3, 89:15, 89:16, 121:16 beyond [3] - 28:15, 94:12, 119:2 Beyond [1] - 141:12 biggest [1] - 77:18 bill [24] - 80:6, 109:3, 109:5, 109:6, 109:7, 109:9, 109:14, 109:16, 109:18, 110:23, 111:1, 111:13, 137:8, 137:10, 137:11, 137:15, 138:13, 138:18, 138:21, 139:7, 139:10, 143:7, 143:9, 143:11 bills [1] - 109:2 birth [2] - 79:24, 80:1 birthday [1] - 108:1 bit [10] - 10:24, 28:16, 39:9, 50:25, 53:14, 74:9, 76:6, 76:9, 80:11, 132:9 black [9] - 38:9, 38:11, 41:20, 93:1, 93:16, 93:22, 130:22, 130:23, 132:11 Blake [2] - 1:13, 147:5</p>	<p>blew [3] - 9:3, 12:20, 47:22 block [6] - 4:16, 4:23, 9:6, 25:24, 33:16, 96:10 blow [1] - 16:25 blown [1] - 5:23 blown-up [1] - 5:23 blue [5] - 12:3, 12:4, 36:12 body [1] - 38:2 book [5] - 24:18, 25:6, 38:9, 38:11, 41:20 Booking [4] - 64:14, 87:5, 87:9, 101:9 bottom [5] - 23:10, 26:9, 39:10, 39:23, 54:19 box [3] - 26:5, 27:5, 27:9 Boyfriend [1] - 113:14 break [1] - 66:19 Brendan [2] - 1:22, 2:10 brief [3] - 127:25, 134:11, 135:11 briefly [2] - 65:24, 131:21 bring [5] - 17:5, 18:8, 42:21, 102:24, 111:25 broken [2] - 96:25, 125:12 brought [9] - 2:25, 85:24, 103:18, 103:25, 104:2, 104:9, 104:11, 104:16 Building [1] - 57:12 bull [6] - 108:12, 108:14, 110:22, 111:8, 111:11, 123:14 Bureau [1] - 2:7 butt [1] - 39:18 BY [28] - 3:16, 12:9, 15:17, 18:19, 29:23, 36:16, 44:14, 44:23, 66:1, 67:25, 79:10, 87:25, 89:12, 93:25, 95:3, 100:11, 106:2, 110:6, 113:4, 117:11, 121:18, 125:6, 128:18, 131:23, 133:22, 136:10, 137:20, 138:7</p>	<p>50:10, 50:15, 52:3, 52:11, 64:9, 66:2 calendar [1] - 144:16 calendars [1] - 143:14 camera [1] - 65:10 candor [1] - 114:17 cannot [1] - 67:6 capabilities [1] - 65:7 caps [1] - 40:25 capsules [2] - 99:18, 99:19 car [164] - 4:8, 4:12, 9:23, 10:3, 10:5, 10:25, 11:5, 11:6, 11:16, 11:23, 12:11, 13:6, 13:8, 13:13, 13:16, 14:4, 14:8, 15:6, 15:10, 15:11, 15:23, 18:23, 20:25, 21:15, 21:16, 22:1, 23:19, 30:15, 31:2, 33:4, 34:5, 34:6, 34:9, 34:12, 34:17, 34:20, 35:8, 35:10, 35:25, 36:21, 40:6, 40:10, 40:20, 41:3, 41:13, 41:15, 42:8, 42:9, 43:7, 43:22, 47:9, 47:16, 51:9, 51:10, 55:3, 58:25, 59:10, 59:15, 62:18, 65:19, 69:19, 69:23, 69:24, 70:10, 71:9, 71:11, 75:23, 77:3, 78:4, 78:20, 78:21, 80:18, 81:2, 81:7, 81:9, 81:11, 82:23, 82:24, 83:3, 83:6, 83:7, 83:8, 83:12, 83:22, 84:16, 84:17, 84:18, 84:20, 85:3, 91:9, 91:10, 91:12, 92:22, 92:24, 93:13, 94:4, 94:11, 94:18, 95:4, 95:16, 96:14, 98:5, 99:1, 99:7, 99:11, 100:15, 100:17, 100:18, 112:1, 115:7, 115:8, 115:9, 116:1, 116:2, 116:3, 116:4, 116:13, 117:18, 117:25, 118:12, 118:23, 119:5, 119:10, 119:12, 120:5, 120:7, 120:8, 120:10, 120:16, 120:17, 121:25, 122:7, 122:10, 122:16,</p>
	B			
	<p>BACK [1] - 54:20 BACK-ENR [1] - 54:20 background [2] - 135:24, 136:1 backpack [10] - 41:10, 59:6, 84:22, 93:1, 93:3, 93:7, 93:16, 93:23, 94:2, 112:1 bag [17] - 38:9, 38:11, 38:17, 38:19, 38:21, 38:23, 39:4, 39:7, 39:8, 39:9, 39:19, 41:20, 59:14, 62:10, 130:22, 130:23, 132:11 baker [1] - 16:12</p>			
			C	
			CAD [7] - 50:5,	

<p>122:18, 123:7, 123:11, 126:9, 126:16, 126:24, 127:6, 127:8, 129:13, 129:15, 129:17, 129:24, 130:4, 130:6, 130:7, 130:8, 130:19, 130:20, 130:21, 130:22, 130:23, 131:8, 131:16, 132:1, 132:4, 132:9, 132:12, 132:14, 132:18 cardinal [2] - 6:16, 32:9 Carlisle [17] - 4:16, 4:24, 4:25, 6:1, 6:15, 8:20, 15:24, 31:6, 31:17, 32:8, 72:14, 73:3, 73:16, 73:22, 89:21, 91:1, 95:20 Carlyle [2] - 5:1, 32:6 cars [2] - 73:13, 74:1 case [22] - 1:12, 2:2, 17:4, 51:7, 51:14, 51:17, 52:13, 53:5, 55:17, 56:17, 56:23, 62:13, 63:1, 63:5, 63:11, 63:14, 63:17, 66:3, 67:6, 88:11, 88:21 Case [1] - 2:4 cases [1] - 25:23 catch [1] - 9:5 Catherine [2] - 1:13, 147:5 CCB-08-0586 [2] - 1:5, 147:5 cell [33] - 11:14, 11:19, 11:21, 12:24, 20:16, 20:19, 21:20, 22:2, 23:15, 37:19, 58:23, 59:19, 60:1, 78:13, 83:10, 86:17, 86:20, 108:16, 110:1, 123:2, 123:3, 124:7, 124:8, 124:16, 124:17, 124:19, 124:20, 124:23, 125:1, 137:8, 137:21, 137:22 Center [1] - 134:8 Central [5] - 64:14, 87:5, 87:9, 98:22, 101:9 central [2] - 51:18, 51:23 certain [6] - 32:24, 109:15, 109:17, 120:15, 121:10, 139:2 certainly [5] - 18:14,</p>	<p>52:12, 142:4, 142:13, 143:10 certainty [1] - 91:14 CERTIFICATE [1] - 147:1 certify [1] - 147:2 challenging [1] - 143:7 chambers [1] - 144:15 chance [2] - 120:23, 141:18 change [2] - 57:10, 64:11 changing [3] - 7:6, 8:16, 57:13 charge [3] - 68:8, 70:14, 137:11 charged [1] - 45:21 charges [1] - 139:5 CHARLENE [2] - 112:14, 145:13 Charlene [26] - 68:21, 68:25, 69:11, 69:24, 78:18, 78:19, 80:17, 82:7, 82:12, 86:19, 89:18, 100:12, 106:9, 112:11, 112:25, 129:1, 129:2, 135:6, 135:7, 135:8, 135:10, 135:15, 136:16, 136:20, 138:25, 139:8 Charlene's [10] - 68:20, 69:23, 71:2, 79:1, 89:13, 91:20, 92:14, 92:22, 99:11, 106:25 chase [1] - 88:22 check [9] - 21:3, 26:5, 27:3, 27:5, 36:23, 59:25, 135:16, 135:20, 136:24 checked [6] - 26:25, 27:1, 27:9, 27:10, 37:2, 97:21 checking [1] - 130:21 chief [1] - 67:6 chose [1] - 137:12 Chris [1] - 2:6 Christopher [1] - 1:20 citation [1] - 28:4 cited [2] - 28:9, 28:17 City [3] - 5:3, 30:1, 144:1 city [1] - 107:5 civilians [1] - 65:12</p>	<p>clarify [1] - 121:15 Classification [1] - 134:8 CLEAR [1] - 58:4 clear [8] - 5:15, 8:4, 32:21, 33:9, 37:20, 44:5, 58:8, 122:22 cleared [4] - 43:21, 52:16, 52:18, 58:6 clearly [6] - 39:23, 68:2, 95:24, 113:6, 116:16, 116:18 CLERK [19] - 3:3, 3:8, 3:13, 29:10, 29:15, 29:21, 67:13, 67:17, 67:23, 112:13, 112:18, 112:23, 113:2, 128:6, 128:11, 128:16, 133:10, 133:15, 133:20 click [1] - 17:25 Clint [1] - 2:5 Clinton [1] - 1:19 clip [1] - 42:4 clock [5] - 91:9, 91:10, 91:11, 98:5, 136:22 closed [2] - 38:19, 38:20 closer [1] - 129:19 clothing [2] - 36:7, 36:10 Cockeysville [2] - 97:6, 97:9 code [2] - 140:6 Cold [1] - 54:15 collect [1] - 142:22 coming [5] - 55:6, 55:8, 73:14, 124:20, 129:2 command [2] - 122:17, 122:20 commands [1] - 20:5 common [1] - 22:17 company [2] - 98:17, 98:18 compared [1] - 141:25 compartment [1] - 77:1 compiled [1] - 143:12 complaint [2] - 51:18, 51:23 completed [2] - 23:4 completely [1] - 93:21 Completely [1] - 73:10 complex [4] - 71:18,</p>	<p>71:20, 90:3 complies [4] - 6:7, 7:20, 9:10, 31:21 comply [1] - 40:7 computer [6] - 52:25, 58:14, 137:9, 137:14, 137:16, 140:22 concise [1] - 45:20 concluded [1] - 144:17 conditioner [1] - 70:14 conditioning [5] - 70:5, 70:19, 96:24, 97:3, 125:10 conditions [2] - 5:12, 32:22 conducted [1] - 11:19 conducting [1] - 11:15 conference [1] - 143:15 confusing [1] - 28:17 congested [3] - 92:10, 92:11 consent [1] - 84:19 consider [2] - 144:7, 144:8 constant [1] - 33:8 constituting [1] - 45:21 containing [1] - 40:25 contents [1] - 94:11 continued [1] - 34:6 Control [2] - 58:1, 62:16 control [1] - 7:5 controlling [1] - 8:6 conversation [3] - 63:25, 65:20, 107:2 conversion [1] - 70:18 converted [1] - 70:17 conviction [4] - 88:12, 89:3, 89:8, 89:10 convictions [1] - 88:23 copy [9] - 18:12, 18:13, 18:14, 18:17, 79:17, 120:23, 139:5, 139:12, 143:5 Correct [13] - 25:21, 26:20, 73:19, 74:7, 74:13, 75:13, 75:15, 75:17, 103:14, 108:6, 109:20, 118:14,</p>	<p>122:24 correct [56] - 15:21, 16:1, 17:20, 18:5, 18:20, 19:5, 20:8, 20:23, 25:14, 26:9, 26:22, 27:1, 27:25, 44:25, 45:14, 45:22, 46:7, 46:23, 47:10, 47:23, 48:4, 48:24, 50:13, 50:23, 51:3, 51:15, 51:24, 53:9, 53:12, 56:15, 73:16, 74:11, 75:10, 77:14, 80:6, 90:21, 92:20, 95:14, 95:20, 96:8, 98:1, 99:8, 100:21, 109:19, 111:3, 117:7, 117:15, 121:10, 122:10, 122:23, 123:8, 123:14, 131:16, 133:25, 138:19, 141:9 Correction [1] - 134:5 correctly [1] - 95:18 corroborate [1] - 142:22 counsel [3] - 2:7, 36:6, 144:15 Counsel [1] - 143:13 couple [11] - 30:24, 35:12, 50:17, 61:12, 61:24, 75:23, 80:5, 113:19, 138:18, 144:10, 144:16 COURT [72] - 1:1, 2:2, 2:9, 2:14, 2:20, 2:24, 3:2, 11:17, 12:8, 15:14, 18:12, 18:18, 28:24, 29:3, 29:6, 29:9, 36:15, 44:8, 44:12, 44:21, 65:23, 66:10, 66:14, 66:18, 66:22, 66:24, 67:2, 67:12, 79:9, 87:19, 88:8, 89:2, 89:6, 93:15, 93:22, 94:14, 94:25, 95:2, 100:9, 105:21, 105:25, 110:4, 112:5, 112:8, 112:12, 119:4, 119:8, 121:8, 121:16, 127:2, 127:22, 127:24, 128:2, 128:5, 131:20, 133:2, 133:4, 133:6, 133:9, 136:8, 140:10, 140:12, 140:14, 141:11, 141:14, 142:7, 142:15, 142:24, 143:13,</p>
--	--	--	---	--

<p>143:18, 144:5, 144:14 court [5] - 25:1, 25:25, 27:4, 63:1, 113:7 Court [9] - 1:25, 4:17, 7:1, 18:13, 18:17, 25:4, 141:4, 142:11, 147:11 Court's [3] - 28:23, 105:11, 137:18 courtroom [4] - 12:1, 36:2, 77:14, 129:3 cousin [9] - 69:18, 115:14, 115:15, 122:2, 126:20, 127:9, 128:24, 128:25, 131:11 cousin's [1] - 117:16 covers [2] - 21:6, 21:7 cracked [2] - 20:4, 22:3 credibility [3] - 89:2, 89:4, 94:22 Crime [2] - 29:20, 30:1 crime [1] - 62:21 crimes [1] - 88:4 CRIMINAL [1] - 1:5 Criminal [2] - 2:4, 147:4 cross [1] - 88:20 CROSS [6] - 15:16, 44:13, 87:24, 117:10, 131:22, 136:9 cross-examination [1] - 88:20 CROSS- EXAMINATION [6] - 15:16, 44:13, 87:24, 117:10, 131:22, 136:9 cruiser [8] - 65:8, 75:21, 75:22, 75:25, 78:3, 78:12, 80:22, 83:23 Crystal [2] - 115:14, 115:16 cuffs [1] - 86:13 curb [6] - 13:15, 40:20, 42:9, 43:7, 43:9, 99:7 current [1] - 3:23 cut [7] - 20:18, 46:11, 46:16, 80:11, 80:12, 88:22, 129:14</p>	<p>dark [1] - 12:3 date [6] - 4:14, 119:15, 134:14, 134:15, 138:23 dated [1] - 113:21 dating [2] - 69:2, 125:17 Dave [1] - 2:7 daylight [2] - 5:14, 32:23 days [4] - 30:24, 144:3, 144:4, 144:6 debrief [1] - 102:14 debriefed [7] - 85:11, 85:12, 103:3, 103:4, 103:5, 103:6, 103:11 decide [2] - 9:1, 12:18 decision [1] - 34:17 DEFENDANT [1] - 1:7 defendant [31] - 12:6, 12:14, 13:5, 14:9, 22:2, 25:18, 27:3, 37:10, 37:18, 37:19, 39:3, 40:5, 40:7, 40:14, 40:15, 40:18, 40:19, 42:7, 42:22, 42:25, 43:2, 43:13, 44:2, 57:23, 60:23, 60:24, 61:16, 61:17, 67:1, 88:15, 88:25 Defendant [6] - 1:21, 67:15, 112:15, 128:8, 133:12, 147:4 Defendant's [17] - 17:4, 17:8, 18:9, 18:10, 24:21, 44:17, 50:6, 51:21, 72:8, 73:15, 73:17, 74:8, 74:12, 75:8, 75:11, 79:7, 138:9 DEFENDANT'S [2] - 145:9, 146:1 defendant's [3] - 8:6, 49:14, 59:24 Defender [1] - 2:11 Defense [7] - 24:19, 44:16, 45:2, 46:6, 72:5, 79:6, 79:11 defense [6] - 66:25, 112:10, 128:3, 133:7, 141:13, 142:13 definitive [1] - 45:20 degree [1] - 114:13 delays [1] - 142:13 demanding [1] - 139:20 demeanor [2] -</p>	<p>12:16, 115:18 denying [1] - 83:17 Department [1] - 3:19 depict [1] - 52:10 deposit [1] - 25:19 DEPUTY [1] - 143:25 describe [4] - 38:10, 77:16, 102:23, 139:17 designated [3] - 16:13, 16:14, 16:16 desk [15] - 49:9, 49:11, 59:23, 86:1, 102:9, 102:10, 102:11, 102:12, 102:20, 103:22, 103:23, 103:24, 104:3, 104:6, 110:12 destroyed [1] - 139:24 detailed [1] - 60:22 details [1] - 141:3 detective [5] - 44:25, 85:11, 85:12, 102:13, 103:11 Detective [9] - 19:23, 21:12, 29:19, 29:24, 34:7, 42:23, 44:24, 57:24, 66:2 detective's [1] - 85:24 determination [1] - 42:2 determine [1] - 41:24 Diagnostic [1] - 134:7 dialogue [3] - 56:3, 61:10, 61:14 different [6] - 16:16, 94:19, 103:21, 137:12, 138:1, 138:16 DIRECT [6] - 3:15, 29:22, 67:24, 113:3, 128:17, 133:21 direct [3] - 83:12, 83:18, 94:9 direction [8] - 6:16, 7:5, 32:9, 72:20, 73:24, 74:1, 74:6, 75:14 directly [6] - 3:9, 29:16, 67:18, 112:19, 128:12, 133:16 discrepancies [1] - 141:23 discuss [1] - 88:23 discussing [1] - 74:10 discussion [3] - 46:20, 64:1, 110:8</p>	<p>disobeying [1] - 83:12 dispatch [3] - 54:10, 56:4, 58:14 Dispatch [1] - 54:13 dispatcher [10] - 36:22, 48:10, 48:11, 48:13, 50:21, 52:16, 52:18, 52:23, 55:23, 55:24 disprove [1] - 142:23 dispute [1] - 143:3 distance [1] - 89:24 distilled [1] - 142:10 distress [1] - 132:22 DISTRICT [2] - 1:1, 1:2 district [2] - 16:11, 42:22 District [14] - 1:14, 3:18, 30:9, 42:22, 52:7, 57:24, 58:3, 85:10, 101:14, 101:21, 101:23, 108:11, 110:9, 147:6 Division [3] - 29:20, 30:1, 134:5 done [2] - 22:19, 23:8 door [18] - 10:22, 10:23, 35:5, 35:14, 35:15, 35:16, 35:17, 35:18, 36:20, 36:21, 37:13, 37:15, 60:3, 70:2, 84:7, 84:13, 102:25, 106:10 Down [2] - 54:14, 77:6 down [56] - 7:24, 11:17, 12:12, 13:15, 13:17, 16:4, 17:21, 19:10, 20:3, 21:5, 22:4, 22:13, 22:22, 23:9, 25:17, 26:9, 27:14, 28:3, 33:7, 48:21, 49:10, 49:12, 50:25, 53:7, 54:19, 56:7, 59:4, 60:23, 60:24, 61:16, 61:19, 61:22, 61:23, 61:25, 64:4, 66:11, 70:22, 71:5, 71:8, 71:11, 75:23, 77:5, 87:6, 96:20, 96:21, 112:9, 114:8, 125:16, 127:24, 129:13, 129:23, 129:24, 139:20, 140:14 draw [1] - 34:9 Drawing [1] - 45:2</p>	<p>drawn [1] - 14:16 drive [7] - 34:6, 117:16, 117:18, 125:14, 140:25, 141:3 driven [1] - 72:23 driver [11] - 8:23, 11:1, 20:2, 26:11, 33:25, 35:22, 38:17, 49:22, 58:19, 71:13, 87:5 driver's [17] - 10:4, 10:15, 10:16, 10:19, 19:23, 21:7, 35:2, 40:3, 41:14, 41:16, 61:4, 77:8, 81:3, 83:7, 83:8, 84:1, 84:4 driving [12] - 4:12, 12:2, 16:22, 30:19, 30:20, 36:3, 69:23, 71:15, 74:14, 92:7, 92:19, 107:5 drove [8] - 71:22, 71:24, 74:25, 76:6, 76:9, 90:16, 90:18, 91:1 drug [1] - 85:17 drugs [3] - 44:3, 81:8, 81:10 Druid [2] - 71:23, 90:17 duly [6] - 3:6, 29:13, 67:15, 112:16, 128:9, 133:13 during [2] - 87:13, 118:11 DVD [3] - 140:21, 141:14, 141:19</p>
E				
<p>early [1] - 129:9 easier [1] - 17:6 East [3] - 64:11, 89:19, 91:24 east [2] - 32:10, 72:18 eastbound [1] - 6:18 Eastern [1] - 98:22 Ebony [4] - 122:2, 126:20, 128:4, 128:15 EBONY [2] - 128:7, 145:16 effort [1] - 8:1 eight [2] - 16:12, 52:6 either [3] - 13:22, 52:23, 143:14 element [1] - 88:11 Elizabeth [1] -</p>				
D				
<p>dad [2] - 116:21</p>				

<p>112:25 eluding [1] - 28:18 emergency [2] - 18:22, 47:25 employed [1] - 134:4 employment [1] - 114:15 en [3] - 54:24, 55:2, 55:5 end [6] - 39:10, 39:18, 39:23, 48:14, 64:22, 126:1 ENR [1] - 54:20 entered [1] - 104:7 entire [2] - 37:16, 41:1 entitled [1] - 1:12 entries [1] - 98:21 erased [1] - 137:7 Eric [2] - 2:22, 3:12 ERIC [2] - 3:4, 145:3 error [6] - 54:11, 54:12, 54:13, 58:14, 64:7 Escort [37] - 7:9, 7:13, 7:21, 7:24, 9:2, 9:20, 10:1, 10:12, 12:2, 15:5, 16:25, 18:3, 19:7, 19:12, 32:24, 34:3, 34:22, 35:6, 35:20, 36:3, 47:21, 49:17, 59:18, 60:4, 69:25, 70:1, 70:2, 70:5, 70:18, 83:23, 92:20, 95:14, 96:16, 117:14, 118:9, 125:7, 130:18 escorted [1] - 87:5 Esquire [3] - 1:19, 1:20, 1:22 essential [1] - 45:21 estimate [2] - 15:8, 97:15 evening [1] - 119:14 events [1] - 94:20 eventually [1] - 56:16 Eventually [3] - 20:9, 20:10, 130:21 Evidence [3] - 58:1, 62:16, 88:14 evidence [7] - 59:13, 66:15, 88:19, 89:7, 142:17, 142:22, 144:9 exact [13] - 5:6, 15:3, 81:13, 81:14, 98:4, 119:15, 120:2, 121:20, 134:14, 134:15, 136:13, 137:24, 137:25</p>	<p>exactly [11] - 10:13, 10:17, 92:18, 98:3, 98:4, 107:6, 119:14, 122:19, 123:15, 123:17, 123:23 exam [2] - 45:16, 51:23 EXAMINATION [17] - 3:15, 15:16, 29:22, 44:13, 65:25, 67:24, 87:24, 110:5, 113:3, 117:10, 125:5, 127:5, 128:17, 131:22, 133:21, 136:9, 138:6 examination [1] - 88:20 examined [6] - 3:6, 29:13, 67:16, 112:16, 128:9, 133:13 except [1] - 102:19 Except [1] - 111:22 exclaiming [1] - 47:2 Excuse [1] - 10:16 excuse [1] - 47:16 excused [2] - 29:6, 133:6 Exhibit [41] - 5:17, 5:19, 6:10, 6:11, 7:17, 8:10, 8:12, 9:7, 17:5, 17:8, 18:9, 18:10, 24:20, 24:21, 25:16, 31:11, 32:1, 33:13, 34:8, 44:17, 45:2, 46:6, 46:17, 46:19, 47:4, 50:4, 50:6, 50:13, 51:21, 53:7, 72:8, 73:15, 73:17, 74:8, 74:12, 75:8, 75:11, 79:6, 79:7, 79:11, 138:9 exhibit [3] - 26:5, 72:3, 141:8 exhibits [2] - 44:19, 87:17 EXHIBITS [2] - 145:22, 146:1 exit [2] - 71:23, 90:17 exited [1] - 19:22 expect [1] - 94:21 explain [5] - 4:17, 16:9, 25:3, 30:25, 104:19 explaining [1] - 140:19 Exxon [2] - 90:7, 90:14 eye [2] - 45:16, 51:23</p>	<p>F</p> <p>fabric [1] - 38:11 face [1] - 38:18 faces [1] - 131:15 facing [8] - 6:15, 6:16, 6:17, 6:18, 8:20, 32:10, 38:17, 38:18 Facing [1] - 32:9 Fact [1] - 2:24 fact [3] - 28:2, 80:8, 88:10 facts [1] - 45:21 factual [2] - 94:20, 141:23 fail [1] - 27:23 failed [1] - 27:18 failing [2] - 26:18, 27:24 fails [1] - 27:21 failure [2] - 26:11, 27:19 fair [8] - 6:19, 8:18, 8:23, 24:11, 32:11, 33:20, 33:24, 42:5 Fairview [5] - 34:15, 55:17, 55:21, 57:22, 91:25 Falls [6] - 71:24, 71:25, 72:1, 90:18, 92:11 familiar [1] - 24:19 family [1] - 80:2 far [7] - 9:14, 9:25, 20:5, 35:10, 89:20, 93:22, 131:5 fast [1] - 92:7 father [9] - 79:24, 82:12, 82:14, 82:18, 82:22, 107:23, 109:6, 116:15 father's [2] - 82:16, 107:10 Federal [2] - 2:11, 88:13 fee [1] - 25:8 feet [2] - 10:2, 61:12 felony [2] - 88:11, 89:3 felt [1] - 87:6 female [3] - 37:6, 65:18, 130:12 females [1] - 130:13 few [3] - 20:11, 136:11, 136:20 fidgeting [1] - 58:22 fidgety [3] - 12:17, 23:25, 24:3 file [1] - 142:4</p>	<p>fill [1] - 46:2 finally [1] - 11:22 fine [11] - 25:13, 25:19, 26:23, 27:1, 28:5, 67:12, 87:20, 119:16, 143:17, 143:20, 144:13 finish [1] - 15:4 finished [1] - 103:6 Firearms [1] - 2:8 first [14] - 15:5, 20:19, 46:14, 46:15, 50:18, 58:24, 84:5, 89:25, 124:22, 125:1, 136:18, 139:9, 139:22, 141:10 Five [1] - 23:19 five [12] - 10:2, 16:14, 21:11, 23:17, 23:18, 50:2, 61:11, 61:19, 62:2, 62:3, 66:18, 123:20 five-minute [1] - 66:18 fix [3] - 70:7, 70:13, 97:13 fixed [5] - 5:10, 5:11, 31:22, 97:3, 97:5 flashing [2] - 76:7, 76:12 flashy [1] - 73:20 fleeing [1] - 28:17 flex [1] - 86:12 flexicuffed [1] - 86:10 folder [1] - 62:13 follows [6] - 3:7, 29:14, 67:16, 112:17, 128:10, 133:14 foot [2] - 38:15 FOR [1] - 1:2 Ford [20] - 7:9, 7:21, 9:2, 9:20, 9:25, 15:5, 16:24, 32:24, 34:3, 34:22, 35:6, 35:20, 36:3, 92:19, 95:13, 96:16, 117:14, 118:8, 125:7, 130:17 foregoing [1] - 147:2 foresee [1] - 143:6 forget [2] - 52:24, 64:8 formally [1] - 87:17 forms [1] - 58:1 forth [5] - 37:23, 38:1, 38:2, 38:3, 93:17 four [3] - 16:12, 137:12, 138:1 frame [2] - 14:25,</p>	<p>19:19 Frank [2] - 51:20, 52:2 friend [1] - 128:24 front [11] - 10:22, 23:2, 25:16, 35:16, 45:3, 50:13, 59:7, 80:9, 85:25, 130:8, 130:9 Fuchs [15] - 1:19, 2:6, 3:1, 29:4, 87:21, 136:8, 140:10, 140:24, 142:16, 145:4, 145:7, 145:12, 145:15, 145:18, 145:21 FUCHS [53] - 2:3, 2:19, 2:21, 3:16, 12:5, 12:9, 15:13, 29:5, 29:7, 29:23, 36:14, 44:7, 65:24, 66:1, 66:9, 66:13, 87:23, 87:25, 88:6, 89:5, 89:11, 89:12, 93:25, 95:3, 100:11, 105:11, 105:23, 106:1, 106:2, 110:3, 112:7, 117:11, 121:14, 121:17, 121:18, 125:4, 127:3, 127:17, 127:19, 131:21, 131:23, 133:1, 136:10, 137:17, 137:20, 138:4, 140:11, 141:9, 142:19, 143:8, 143:17, 144:3, 144:13 Fuddruckers [1] - 68:12 full [8] - 3:10, 4:6, 29:17, 67:19, 112:20, 112:23, 128:13, 133:17</p>
				<p>G</p> <p>Gail [2] - 1:25, 147:10 gap [2] - 53:14, 61:6 garage [1] - 43:18 gas [8] - 71:19, 90:1, 90:2, 90:6, 90:9, 90:10, 91:24, 92:4 gel [1] - 40:25 gentleman [2] - 12:3, 113:10 Gilliam [1] - 115:16 Gillig [3] - 64:22, 64:25, 65:3 Gilly [1] - 64:24</p>

<p>girlfriend [7] - 11:24, 68:22, 69:4, 106:15, 106:16, 106:18, 135:5</p> <p>given [1] - 117:24</p> <p>glove [1] - 76:25</p> <p>gotcha [1] - 16:4</p> <p>government [9] - 2:21, 29:7, 67:7, 72:3, 88:23, 89:7, 93:11, 140:20, 141:6</p> <p>Government [3] - 1:18, 3:5, 29:12</p> <p>GOVERNMENT'S [2] - 145:2, 145:22</p> <p>Government's [12] - 5:17, 5:19, 6:10, 6:11, 7:17, 8:10, 8:12, 9:7, 31:11, 32:1, 33:13, 34:8</p> <p>grab [1] - 84:22</p> <p>grabbed [2] - 39:7, 39:8</p> <p>gray [1] - 99:22</p> <p>great [3] - 66:20, 110:8, 113:7</p> <p>ground [3] - 83:22, 130:2, 132:7</p> <p>guess [6] - 12:3, 21:11, 51:1, 72:18, 86:1, 141:19</p> <p>guessing [1] - 9:19</p> <p>guesstimating [1] - 14:24</p> <p>gun [31] - 13:4, 13:8, 40:4, 42:17, 43:23, 57:25, 59:14, 59:19, 62:12, 62:13, 83:1, 83:11, 83:13, 83:16, 84:25, 94:4, 95:4, 95:6, 95:8, 95:10, 99:18, 99:21, 99:25, 100:2, 100:4, 100:10, 100:13, 100:15, 100:18, 119:1</p> <p>gunpoint [3] - 13:5, 40:6, 99:3</p> <p>guns [1] - 40:5</p> <p>guy [2] - 77:18, 108:17</p> <p>guys [2] - 56:15, 125:20</p> <p>Gwynns [6] - 71:24, 72:1, 90:18, 92:11</p>	<p>20:13, 22:7, 22:10, 22:12, 24:18, 29:10, 38:3, 38:4, 43:24, 49:19, 67:13, 81:19, 93:14, 94:7, 112:13, 127:16, 128:6, 133:10</p> <p>handbook [1] - 28:3</p> <p>handcuffed [5] - 85:3, 86:3, 86:12, 101:3, 130:2</p> <p>handcuffs [10] - 13:15, 13:20, 40:11, 40:12, 41:1, 43:6, 83:21, 99:5, 103:15, 132:8</p> <p>handed [4] - 20:7, 49:15, 49:17, 79:11</p> <p>handgun [11] - 14:6, 27:12, 27:15, 39:10, 39:11, 39:18, 39:21, 39:24, 41:8, 41:24, 43:20</p> <p>hands [3] - 86:11, 130:3, 132:8</p> <p>hang [1] - 82:13</p> <p>HANS [2] - 3:4, 145:3</p> <p>Hans [1] - 3:12</p> <p>happy [2] - 141:20, 144:11</p> <p>hard [1] - 45:13</p> <p>head [3] - 64:6, 77:18, 129:23</p> <p>headed [3] - 19:22, 72:18, 74:6</p> <p>Headquarters [1] - 57:12</p> <p>headquarters [4] - 57:14, 57:15, 57:16, 57:17</p> <p>hear [15] - 13:11, 42:12, 42:14, 43:13, 62:1, 62:4, 82:9, 82:11, 116:16, 116:22, 121:19, 135:23, 136:4, 140:3, 142:6</p> <p>heard [23] - 61:15, 61:25, 93:22, 94:15, 115:11, 115:23, 115:25, 116:2, 116:3, 116:18, 119:16, 122:9, 122:13, 122:20, 123:6, 126:8, 136:1, 136:5, 139:14, 140:24, 142:8, 142:23</p> <p>hearing [8] - 1:13, 2:5, 2:15, 76:7, 82:7, 116:8, 141:16, 143:19</p> <p>held [2] - 84:17, 94:17</p>	<p>helpful [1] - 142:20</p> <p>hereby [1] - 147:2</p> <p>Herman [38] - 4:5, 4:7, 10:5, 12:6, 12:10, 13:3, 13:7, 13:22, 14:4, 14:7, 15:10, 17:10, 19:23, 21:12, 21:19, 29:8, 29:19, 29:24, 31:10, 31:25, 32:19, 36:17, 44:24, 53:8, 66:2, 78:10, 78:11, 82:23, 82:24, 82:25, 83:4, 83:14, 83:25, 84:4, 99:10, 99:25, 101:17, 101:23</p> <p>HERMAN [3] - 29:11, 36:16, 145:6</p> <p>Herman's [1] - 16:7</p> <p>heroin [1] - 40:25</p> <p>herself [1] - 65:19</p> <p>hesitant [2] - 20:5, 22:4</p> <p>high [1] - 110:17</p> <p>Hill [2] - 71:23, 90:17</p> <p>Hilton [19] - 9:6, 19:4, 34:14, 48:3, 55:18, 55:22, 57:22, 75:1, 75:10, 76:10, 85:2, 91:3, 91:25, 96:7, 96:11, 122:5, 122:6, 129:19, 141:2</p> <p>himself [1] - 88:20</p> <p>holding [2] - 24:18, 108:16</p> <p>holstered [1] - 14:17</p> <p>home [2] - 69:14, 69:15</p> <p>honestly [3] - 24:14, 142:5, 143:5</p> <p>Honor [65] - 2:10, 2:19, 2:21, 2:23, 12:5, 15:13, 15:15, 18:8, 28:23, 29:2, 29:5, 29:7, 36:14, 44:7, 44:10, 44:11, 65:22, 65:24, 66:9, 66:13, 66:17, 66:25, 79:5, 87:15, 87:23, 88:5, 88:6, 89:5, 89:11, 93:9, 94:5, 94:24, 100:6, 105:11, 105:23, 106:1, 110:3, 112:4, 112:7, 112:10, 119:2, 119:7, 121:7, 125:4, 127:4, 127:19, 128:1, 128:3, 131:21, 133:1, 133:3, 133:7, 136:7, 137:18, 140:7, 140:11, 140:15, 140:19, 141:8, 141:9,</p>	<p>141:12, 142:20, 143:8, 143:17, 144:13</p> <p>Honorable [2] - 1:13, 147:5</p> <p>HOPE [2] - 133:11, 145:19</p> <p>Hope [1] - 133:19</p> <p>Hospital [2] - 114:8, 114:9</p> <p>hostile [1] - 139:18</p> <p>hot [4] - 49:9, 49:11, 59:23, 70:21</p> <p>hour [9] - 14:25, 15:1, 15:2, 49:5, 92:9, 92:12, 102:2, 123:20, 123:21</p> <p>hours [6] - 47:13, 91:23, 92:2, 92:14, 92:16, 102:3</p> <p>house [13] - 68:20, 69:7, 69:12, 71:2, 71:4, 86:22, 89:13, 91:20, 92:15, 117:20, 118:19, 137:10, 138:24</p> <p>HQE [1] - 57:10</p> <p>hundred [1] - 140:2</p> <p>hung [6] - 82:22, 82:25, 83:10, 116:15, 126:11, 136:19</p> <p>Hurson [14] - 1:22, 2:11, 15:14, 44:9, 66:14, 66:24, 98:7, 110:4, 145:5, 145:8, 145:11, 145:14, 145:17, 145:20</p> <p>HURSON [63] - 2:10, 2:23, 2:25, 15:15, 15:17, 18:13, 18:17, 18:19, 28:23, 29:1, 44:10, 44:14, 44:19, 44:22, 44:23, 65:22, 66:16, 66:20, 66:25, 67:3, 67:25, 79:5, 79:10, 87:15, 88:5, 88:7, 88:9, 93:9, 93:18, 94:5, 94:23, 95:1, 100:6, 110:6, 112:4, 112:10, 113:4, 117:8, 119:2, 119:7, 121:7, 121:13, 125:6, 126:25, 127:20, 127:25, 128:3, 128:18, 131:18, 133:3, 133:7, 133:22, 136:7, 138:7, 140:7, 140:15, 141:12, 141:20, 142:8, 142:25, 143:20, 144:4, 144:11</p>	<p>Hurson's [1] - 143:10</p> <p>husband [4] - 135:12, 135:16, 136:24, 140:6</p> <p>I</p> <p>ID [2] - 55:13, 55:14</p> <p>idea [6] - 25:10, 55:1, 59:11, 117:21, 142:9, 143:9</p> <p>identical [1] - 52:3</p> <p>identified [3] - 12:6, 14:5, 65:18</p> <p>identify [2] - 36:7, 36:10</p> <p>imagine [1] - 19:21</p> <p>immediately [3] - 41:6, 47:25, 83:16</p> <p>Impact [2] - 29:20, 30:1</p> <p>impeachment [1] - 67:9</p> <p>important [3] - 46:4, 46:22, 49:23</p> <p>impression [1] - 122:14</p> <p>IN [1] - 1:1</p> <p>incarcerated [1] - 68:8</p> <p>inch [5] - 11:14, 22:3, 22:16, 60:25, 61:6</p> <p>inches [1] - 35:12</p> <p>incident [9] - 27:11, 37:16, 53:12, 57:5, 58:7, 58:9, 64:22, 134:13, 134:15</p> <p>Incident [2] - 46:6, 47:7</p> <p>Incidentally [1] - 117:4</p> <p>incoming [1] - 111:14</p> <p>incorrect [1] - 63:20</p> <p>INDEX [1] - 145:1</p> <p>indicate [4] - 7:1, 51:5, 53:24, 111:13</p> <p>indicated [1] - 7:4</p> <p>indicates [2] - 52:7, 53:25</p> <p>indicating [2] - 64:13, 75:2</p> <p>indictment [1] - 89:9</p> <p>indulgence [3] - 28:23, 105:11, 137:18</p> <p>influence [1] - 44:3</p> <p>information [9] -</p>
H				
<p>half [6] - 14:25, 15:1, 38:15, 92:14, 92:16</p> <p>hand [22] - 3:3, 19:7,</p>				

46:22, 48:15, 48:16, 49:9, 55:16, 59:24, 63:17, 115:7, 115:20 informed [1] - 67:5 infractions [1] - 31:3 initiate [2] - 50:18, 58:9 initiated [5] - 15:2, 52:14, 58:12, 58:15, 63:25 initiative [7] - 4:15, 4:18, 16:19, 30:22, 31:1, 31:2, 51:9 inside [7] - 10:25, 35:8, 38:21, 130:21, 132:6, 132:9, 132:18 interaction [2] - 131:7, 131:10 interesting [1] - 94:14 Internet [2] - 138:14, 138:21 intersection [18] - 5:1, 6:1, 7:2, 8:19, 9:15, 31:5, 31:16, 32:5, 32:13, 32:25, 33:21, 34:4, 73:2, 75:9, 89:20, 95:19, 140:25, 141:2 interview [2] - 42:23, 42:25 intro [1] - 28:17 introduce [1] - 141:5 introduced [1] - 143:2 investigation [4] - 11:15, 11:20, 20:16, 131:9 irrelevant [4] - 93:13, 93:21, 94:6, 94:12 Irrelevant [1] - 88:7 issue [3] - 88:10, 88:19, 143:4 issues [3] - 88:20, 94:22, 142:9 items [5] - 84:17, 93:13, 94:17, 99:13, 99:15 itself [1] - 50:2	JOHN [3] - 1:6, 67:14, 145:10 John [19] - 2:3, 12:6, 67:1, 67:21, 116:2, 116:12, 116:15, 116:20, 116:22, 117:18, 118:12, 129:12, 130:2, 134:17, 135:8, 135:18, 135:19, 136:22, 147:3 John's [3] - 116:4, 139:15, 139:16 JR [3] - 1:6, 67:14, 145:10 Jr [2] - 67:21, 147:4 Judge [2] - 1:14, 147:6 June [23] - 1:9, 3:25, 15:20, 30:5, 68:15, 69:4, 69:6, 69:9, 70:23, 73:5, 88:3, 109:21, 110:21, 110:24, 111:19, 114:21, 114:23, 117:17, 125:17, 125:23, 129:5, 134:12, 147:6	128:14, 133:18, 140:16 lasted [1] - 24:1 laundry [2] - 93:12, 93:19 law [1] - 25:17 laying [1] - 59:7 leaning [2] - 35:13, 78:12 learn [1] - 37:4 learned [2] - 37:5, 142:21 least [2] - 144:5, 144:6 leave [4] - 69:11, 71:2, 117:20, 117:22 leaves [2] - 106:10, 106:12 leaving [1] - 52:22 left [25] - 10:18, 23:8, 26:9, 28:3, 59:15, 71:4, 73:13, 75:6, 89:13, 90:14, 91:20, 96:3, 103:11, 106:9, 119:23, 119:24, 120:1, 120:3, 120:4, 120:15, 135:17, 136:25, 137:1, 137:5, 137:6 legal [2] - 142:9, 144:7 legality [1] - 94:7 legitimate [1] - 143:7 lengths [1] - 75:23 less [1] - 143:23 letters [3] - 25:21, 45:17, 45:19 letting [2] - 78:20, 115:7 license [27] - 11:12, 11:18, 11:22, 20:1, 20:7, 20:13, 20:22, 21:3, 21:6, 22:9, 36:23, 36:25, 48:17, 48:23, 49:6, 49:13, 49:14, 49:15, 49:17, 54:4, 54:7, 54:9, 59:24, 61:5, 76:25, 77:24, 78:2 licenses [1] - 21:7 lie [1] - 139:8 lifted [1] - 39:8 light [6] - 9:15, 12:4, 47:16, 74:25, 75:6, 75:7 lighting [2] - 5:12, 32:22 lights [8] - 9:4, 18:22, 19:1, 28:21, 47:25, 48:2, 76:6,	76:12 likely [1] - 142:16 limit [1] - 74:18 line [4] - 53:24, 54:8, 54:23, 55:11 lines [1] - 50:17 lingo [1] - 55:4 list [3] - 80:13, 93:12, 93:19 listed [1] - 109:12 listen [1] - 140:3 literally [1] - 88:14 live [2] - 89:18, 129:21 lives [2] - 69:17, 89:19 living [1] - 114:1 loaded [2] - 41:25, 42:5 lobby [1] - 110:9 locate [1] - 77:1 located [3] - 6:24, 59:8, 59:14 location [16] - 5:5, 5:10, 5:11, 6:23, 31:23, 55:21, 55:23, 55:24, 56:2, 56:5, 57:10, 57:13, 64:11, 121:23, 121:25, 126:21 locked [2] - 17:24, 17:25 log [3] - 120:21, 120:25, 121:4 logs [1] - 50:10 Longwood [28] - 5:1, 6:1, 6:15, 7:6, 8:7, 8:16, 8:19, 8:21, 8:24, 9:17, 31:5, 31:17, 32:5, 33:17, 33:19, 33:25, 34:13, 71:25, 72:1, 72:12, 72:17, 73:2, 89:21, 90:19, 91:1, 91:2, 95:19, 95:20 look [7] - 16:1, 99:21, 111:15, 141:6, 141:10, 141:18, 144:16 looked [14] - 8:20, 33:21, 73:13, 73:24, 74:4, 75:6, 75:14, 75:16, 96:2, 96:3, 136:22, 138:23, 139:6 Looking [1] - 111:1 looking [8] - 26:4, 61:2, 80:13, 84:14, 91:11, 98:5, 132:6, 132:10 looks [3] - 55:22,	55:24, 56:9 loud [1] - 13:11 loved [1] - 131:12 lower [2] - 12:25, 23:14 lowered [1] - 11:13 Lube [2] - 70:12, 97:10 lying [1] - 39:21
M				
MA [3] - 25:21, 25:23, 26:14 Ma'am [1] - 131:24 ma'am [2] - 3:14, 137:23 machine [3] - 17:4, 82:21, 137:2 machines [1] - 70:17 Madison [1] - 64:11 magazine [1] - 82:25 mail [1] - 139:24 man [2] - 12:1, 23:8 managed [1] - 59:25 mandatory [5] - 25:14, 26:4, 26:19, 27:5, 27:7 manner [1] - 28:21 map [8] - 6:3, 7:18, 9:8, 31:15, 31:16, 34:7, 34:9, 72:7 mark [3] - 6:3, 9:8, 25:24 MARKED [2] - 145:22, 146:1 marked [11] - 4:8, 5:17, 6:9, 8:10, 24:19, 30:15, 31:11, 32:1, 33:12, 79:6, 138:9 Marshal [1] - 143:21 MARSHAL [1] - 143:25 Mary [2] - 133:8, 133:19 MARY [2] - 133:11, 145:19 MARYLAND [1] - 1:2 Maryland [3] - 1:8, 68:7, 134:7 Mason [2] - 1:20, 2:6 material [1] - 46:16 Matt [1] - 4:7 matter [3] - 2:4, 88:18, 147:3 Matthew [3] - 29:8, 29:19, 53:8 MATTHEW [2] - 29:11, 145:6				

<p>MCAT [3] - 114:4, 114:5, 114:6</p> <p>mean [30] - 9:17, 15:1, 25:2, 38:2, 50:11, 50:20, 52:15, 52:21, 53:17, 54:25, 55:4, 55:12, 55:20, 56:8, 56:25, 57:11, 57:21, 58:5, 58:6, 59:8, 76:9, 91:2, 96:3, 107:2, 109:1, 120:9, 123:19, 129:14, 135:18, 144:9</p> <p>Meaning [1] - 74:16</p> <p>meaning [2] - 17:25, 24:4</p> <p>means [17] - 16:9, 16:12, 25:4, 26:3, 50:21, 52:13, 52:22, 53:19, 55:2, 55:5, 55:7, 56:20, 57:1, 57:2, 57:4, 57:13, 57:19</p> <p>mechanics [1] - 97:11</p> <p>memorized [1] - 25:10</p> <p>mention [2] - 46:25, 87:19</p> <p>message [5] - 135:17, 135:20, 136:25, 137:1, 137:6</p> <p>messages [1] - 137:4</p> <p>met [3] - 102:5, 102:13, 114:17</p> <p>method [1] - 88:24</p> <p>microphone [8] - 3:9, 29:16, 67:18, 68:2, 112:19, 113:6, 128:12, 133:16</p> <p>middle [3] - 45:12, 69:1, 130:8</p> <p>might [5] - 22:20, 44:20, 52:16, 54:17, 135:17</p> <p>mile [2] - 9:19, 143:24</p> <p>millimeter [2] - 14:5, 41:7</p> <p>mind [5] - 6:8, 44:5, 63:12, 64:6, 88:24</p> <p>mine [2] - 16:8, 54:11</p> <p>minute [2] - 66:18, 84:2</p> <p>minutes [16] - 15:8, 15:12, 20:11, 21:11, 23:17, 23:18, 23:19, 50:2, 61:11, 61:19,</p>	<p>62:2, 62:3, 123:20, 129:25, 136:21, 144:16</p> <p>Mirandize [3] - 13:22, 42:10, 42:12</p> <p>Mirandized [2] - 14:1, 14:2</p> <p>mirror [2] - 76:13, 78:16</p> <p>MISC [2] - 53:17</p> <p>Miscellaneous [1] - 53:18</p> <p>misheard [1] - 130:14</p> <p>moment [2] - 66:16, 114:14</p> <p>morning [30] - 5:8, 5:9, 5:13, 6:4, 7:9, 8:24, 9:1, 12:2, 12:16, 32:13, 32:20, 33:10, 33:22, 34:1, 59:17, 68:19, 73:5, 105:19, 106:15, 107:12, 117:17, 117:23, 118:4, 118:10, 118:24, 119:17, 125:25, 129:9, 134:19, 134:25</p> <p>most [2] - 46:22, 49:23</p> <p>MOTION [2] - 145:22, 146:1</p> <p>Motion [12] - 5:19, 6:11, 8:12, 17:8, 18:10, 24:21, 44:17, 50:6, 72:8, 73:17, 75:11, 79:7</p> <p>motions [3] - 1:12, 2:5, 2:15</p> <p>move [2] - 7:18, 34:3</p> <p>moved [4] - 39:9, 40:19, 93:17, 103:8</p> <p>movements [1] - 91:17</p> <p>moving [16] - 4:20, 5:10, 8:24, 10:10, 12:21, 33:25, 35:3, 37:23, 38:1, 38:2, 38:3, 38:4, 38:6, 58:22, 87:17</p> <p>MR [117] - 2:3, 2:10, 2:19, 2:21, 2:23, 2:25, 3:16, 12:5, 12:9, 15:13, 15:15, 15:17, 18:13, 18:17, 18:19, 28:23, 29:1, 29:5, 29:7, 29:23, 36:14, 36:16, 44:7, 44:10, 44:14, 44:19, 44:22, 44:23, 65:22, 65:24,</p>	<p>66:1, 66:9, 66:13, 66:16, 66:20, 66:25, 67:3, 67:25, 79:5, 79:10, 87:15, 87:23, 87:25, 88:5, 88:6, 88:7, 88:9, 89:5, 89:11, 89:12, 93:9, 93:18, 93:25, 94:5, 94:23, 95:1, 95:3, 100:6, 100:11, 105:11, 105:23, 106:1, 106:2, 110:3, 110:6, 112:4, 112:7, 112:10, 113:4, 117:8, 117:11, 119:2, 119:7, 121:7, 121:13, 121:14, 121:17, 121:18, 125:4, 125:6, 126:25, 127:3, 127:17, 127:19, 127:20, 127:25, 128:3, 128:18, 131:18, 131:21, 131:23, 133:1, 133:3, 133:7, 133:22, 136:7, 136:10, 137:17, 137:20, 138:4, 138:7, 140:7, 140:11, 140:15, 141:9, 141:12, 141:20, 142:8, 142:19, 142:25, 143:8, 143:17, 143:20, 144:3, 144:4, 144:11, 144:13</p> <p>MRDCC [1] - 134:9</p> <p>must [5] - 22:11, 24:25, 25:3, 25:24, 27:4</p>	<p>needed [1] - 22:5</p> <p>needs [2] - 22:5, 140:22</p> <p>neighbor [1] - 118:5</p> <p>nervous [1] - 12:17</p> <p>never [14] - 27:23, 28:9, 28:15, 28:17, 63:18, 63:21, 63:23, 63:25, 64:1, 64:3, 86:24, 100:20, 101:5, 103:12</p> <p>new [3] - 55:21, 70:17, 144:12</p> <p>NEWLOC [1] - 54:14</p> <p>next [18] - 14:3, 29:7, 37:13, 40:1, 40:9, 55:11, 60:2, 69:10, 74:24, 77:7, 80:14, 83:15, 84:11, 90:23, 90:24, 136:23, 141:17, 143:16</p> <p>nice [1] - 71:1</p> <p>nickname [2] - 79:24, 107:18</p> <p>nicknames [1] - 107:16</p> <p>night [1] - 69:6</p> <p>nine [3] - 14:5, 41:7, 129:9</p> <p>NO [1] - 1:5</p> <p>nobody [2] - 11:6, 36:1</p> <p>normal [2] - 27:21, 74:16</p> <p>Normal [2] - 74:15, 74:17</p> <p>north [4] - 8:20, 8:24, 33:25, 34:12</p> <p>North [3] - 34:14, 96:7, 96:10</p> <p>Northbound [1] - 7:6</p> <p>northbound [3] - 7:15, 8:7, 8:17</p> <p>Northern [5] - 71:22, 90:16, 92:10</p> <p>Northwest [9] - 3:18, 16:11, 30:8, 52:7, 58:3, 101:21, 101:22, 110:8, 116:25</p> <p>Northwestern [3] - 85:10, 101:14, 108:11</p> <p>note [2] - 12:5, 142:25</p> <p>noted [1] - 94:23</p> <p>nothing [1] - 41:23</p> <p>Nothing [1] - 133:3</p> <p>noticed [3] - 76:6, 76:12, 79:20</p> <p>notified [2] - 25:25, 27:4</p>	<p>Number [23] - 2:4, 5:17, 5:19, 6:10, 6:11, 7:17, 8:12, 9:8, 17:8, 18:9, 18:10, 24:21, 31:11, 32:1, 33:13, 34:8, 44:17, 50:6, 72:8, 73:17, 74:12, 75:11, 79:7</p> <p>number [43] - 16:5, 16:11, 19:12, 25:5, 51:14, 51:17, 51:18, 51:24, 52:1, 52:3, 53:20, 53:21, 56:17, 56:23, 57:4, 79:1, 79:3, 80:8, 82:16, 105:20, 105:21, 106:20, 106:22, 106:24, 106:25, 107:7, 107:10, 107:14, 111:2, 111:5, 111:7, 117:4, 122:22, 123:4, 134:23, 134:24, 137:21, 137:22, 137:24, 137:25, 138:3, 138:15</p> <p>numbers [2] - 105:14, 138:1</p> <p>numerous [1] - 109:1</p>
				O
				<p>o'clock [8] - 47:10, 71:3, 119:14, 119:23, 119:24, 119:25, 136:13, 136:17</p> <p>object [1] - 141:7</p> <p>objecting [1] - 89:1</p> <p>objection [9] - 87:20, 93:10, 93:18, 93:24, 94:6, 94:23, 100:8, 119:7, 142:13</p> <p>Objection [7] - 88:5, 93:9, 94:5, 100:6, 119:2, 121:7, 121:13</p> <p>observe [2] - 7:8, 7:13</p> <p>observed [1] - 40:4</p> <p>obtained [1] - 89:8</p> <p>obviously [2] - 55:16, 142:1</p> <p>occasion [1] - 107:25</p> <p>OF [2] - 1:2, 1:4</p> <p>offense [6] - 25:14, 26:3, 26:19, 27:7, 27:25, 45:21</p> <p>offenses [1] - 25:20</p> <p>offered [1] - 103:5</p>

Offhand ^[1] - 137:25 offhand ^[1] - 107:6 Office ^[1] - 2:11 office ^[1] - 85:25 Officer ^[86] - 2:22, 3:17, 4:5, 5:16, 6:8, 7:8, 7:16, 8:9, 10:5, 12:6, 12:10, 13:3, 13:7, 13:22, 14:4, 14:7, 15:10, 16:7, 17:10, 21:19, 29:8, 30:14, 30:15, 30:20, 31:10, 31:25, 32:19, 34:5, 34:25, 35:1, 36:17, 36:22, 36:24, 37:7, 37:9, 39:13, 39:15, 40:4, 40:13, 42:12, 43:10, 48:8, 48:16, 49:12, 49:16, 53:20, 54:6, 60:9, 60:23, 61:8, 61:15, 61:19, 64:22, 77:8, 77:10, 77:13, 78:10, 78:11, 81:1, 81:6, 82:22, 82:23, 82:24, 82:25, 83:4, 83:14, 83:16, 83:25, 84:4, 85:3, 85:21, 86:5, 99:10, 99:25, 101:17, 101:19, 101:22, 101:23, 101:25, 102:6, 102:16, 102:19, 104:5, 104:7, 104:12, 104:18 officer ^[21] - 3:21, 15:18, 30:3, 82:8, 101:16, 102:9, 103:18, 103:21, 103:23, 103:24, 103:25, 104:2, 104:11, 104:15, 110:7, 110:11, 115:9, 127:15, 127:16, 132:17 officers ^[26] - 50:11, 64:18, 77:2, 78:4, 78:7, 80:21, 84:19, 90:21, 91:4, 94:17, 94:20, 95:13, 96:4, 96:7, 97:24, 98:25, 104:1, 115:6, 115:19, 130:10, 131:7, 131:13, 132:12, 140:25, 141:24, 142:2 officers' ^[1] - 141:25 Official ^[2] - 1:25, 147:11 old ^[3] - 68:4, 70:2, 70:18 oldest ^[1] - 109:8	once ^[4] - 76:24, 83:10, 104:9, 141:6 Once ^[4] - 34:17, 85:24, 87:19, 90:3 one ^[26] - 16:13, 22:15, 24:13, 42:3, 46:12, 46:14, 53:6, 60:25, 61:6, 63:24, 64:3, 66:16, 77:16, 102:19, 103:21, 111:22, 124:22, 127:3, 130:5, 130:7, 130:9, 130:12, 132:17, 133:7, 135:4, 140:15 One ^[3] - 130:4, 130:7, 130:8 open ^[3] - 13:1, 38:19, 84:7 opened ^[1] - 84:13 operating ^[1] - 42:24 opt ^[1] - 137:12 order ^[5] - 44:22, 83:12, 83:18, 137:10, 141:21 ordered ^[2] - 123:7, 123:11 orderly ^[1] - 28:20 orders ^[1] - 31:3 original ^[1] - 18:15 originally ^[1] - 63:1 Oswald ^[51] - 2:22, 3:12, 3:17, 30:14, 30:15, 30:20, 34:5, 34:25, 35:1, 36:22, 36:24, 37:8, 37:9, 39:13, 39:15, 40:4, 40:13, 42:12, 43:10, 48:8, 48:16, 49:13, 49:16, 54:6, 54:21, 55:13, 60:9, 60:23, 61:8, 61:15, 61:19, 77:8, 77:10, 77:13, 81:1, 81:6, 82:23, 83:16, 85:3, 85:21, 86:5, 101:19, 101:22, 101:25, 102:6, 102:16, 102:19, 104:5, 104:7, 104:12, 104:18 OSWALD ^[2] - 3:4, 145:3 Oswald's ^[1] - 53:20 ought ^[1] - 18:7 outgoing ^[2] - 111:14, 111:20 outside ^[2] - 3:1, 21:14 overrule ^[1] - 93:24 Overruled ^[2] - 95:2,	119:8 overruled ^[1] - 100:9 own ^[7] - 27:25, 95:6, 100:4, 111:16, 119:1, 138:16, 141:25 owned ^[1] - 95:8 owner ^[2] - 65:19, 117:14 ownership ^[1] - 47:2 owns ^[1] - 100:12	41:6, 49:14, 59:3, 59:7, 60:2, 60:6, 61:3, 71:13, 84:3 passenger's ^[2] - 41:16, 84:11 past ^[5] - 9:15, 43:17, 43:19, 43:21, 63:10 pasted ^[2] - 46:11, 46:16 patient ^[2] - 114:10, 114:11 Patrice ^[2] - 110:15, 110:16 Patrol ^[1] - 3:24 patrol ^[8] - 4:8, 13:19, 15:20, 16:14, 16:15, 16:16, 30:9, 43:22 patrolling ^[1] - 31:22 patted ^[1] - 87:6 Pause ^[4] - 28:25, 105:12, 137:19, 140:18 pay ^[1] - 109:2 payable ^[1] - 27:1 paying ^[1] - 109:18 payments ^[2] - 24:25, 25:3 pays ^[1] - 109:6 PDNW ^[2] - 53:17, 54:20 pen ^[6] - 75:3, 108:12, 108:14, 110:22, 111:11, 123:14 penalty ^[1] - 25:19 people ^[8] - 4:19, 77:16, 109:1, 109:10, 109:11, 109:12, 110:22, 131:13 percent ^[1] - 140:2 perfectly ^[2] - 125:24, 125:25 perhaps ^[1] - 141:16 permission ^[1] - 117:24 PERSID ^[1] - 55:12 person ^[15] - 36:3, 48:14, 96:13, 102:20, 104:5, 108:3, 108:5, 108:12, 108:13, 110:18, 110:21, 111:8, 116:11, 122:1, 122:13 personal ^[3] - 21:20, 59:19, 60:1 perspective ^[1] - 55:22 pertinent ^[1] - 55:17	Phillips ^[5] - 122:2, 128:4, 128:15, 128:19, 133:4 PHILLIPS ^[2] - 128:7, 145:16 phone ^[107] - 11:15, 11:19, 11:21, 12:23, 12:24, 20:16, 20:19, 21:20, 22:2, 23:15, 24:7, 37:19, 58:23, 58:24, 59:20, 60:1, 61:18, 78:13, 78:18, 79:1, 79:3, 79:17, 79:18, 80:2, 80:6, 80:8, 80:15, 80:17, 82:6, 82:13, 82:16, 82:18, 83:10, 86:17, 86:20, 87:6, 97:25, 98:8, 98:17, 98:18, 98:21, 105:13, 105:19, 105:20, 105:21, 106:3, 106:20, 106:22, 106:24, 106:25, 107:4, 107:7, 107:14, 107:20, 108:4, 108:23, 109:1, 109:2, 109:4, 109:10, 109:13, 109:21, 110:23, 110:24, 111:1, 114:23, 115:1, 115:4, 117:4, 122:22, 123:1, 123:2, 123:3, 124:7, 124:8, 124:14, 124:16, 124:17, 124:19, 124:20, 124:21, 124:23, 125:2, 125:20, 126:11, 129:5, 134:23, 134:24, 134:25, 135:2, 136:12, 136:18, 137:10, 137:11, 137:15, 137:21, 137:22, 137:25, 138:1, 138:13, 138:15, 138:18, 138:21, 138:24, 139:2, 139:7, 139:10 phones ^[3] - 110:1, 137:8, 137:12 photographer ^[2] - 6:22, 32:17 photographs ^[1] - 62:7 phrase ^[1] - 25:24 physically ^[1] - 59:8 picked ^[1] - 78:18 picture ^[5] - 6:17, 6:23, 32:7, 32:17,
---	--	--	---	--

<p>75:9 pictures [3] - 62:10, 62:12, 62:14 piece [2] - 36:7, 36:10 Pikesville [2] - 68:14, 70:11 pillar [1] - 10:19 pin [1] - 111:8 pistol [2] - 41:9, 41:11 placed [3] - 13:15, 40:11, 111:19 plain [1] - 45:20 plan [2] - 80:2, 80:3 planning [1] - 66:15 plate [1] - 48:17 plates [1] - 21:6 play [1] - 140:23 played [1] - 140:22 player [1] - 140:21 plus [1] - 20:15 pocket [2] - 40:24, 76:25 point [54] - 7:8, 9:1, 11:13, 12:10, 13:7, 14:16, 14:20, 19:6, 19:9, 21:4, 21:12, 21:19, 23:6, 31:19, 32:24, 33:18, 36:5, 38:24, 39:5, 39:9, 39:11, 39:15, 41:3, 42:10, 42:13, 42:15, 42:21, 44:2, 46:25, 59:17, 60:6, 60:17, 75:24, 77:2, 77:5, 80:21, 81:4, 85:2, 90:20, 90:22, 96:22, 97:2, 97:25, 98:25, 99:5, 99:10, 100:18, 104:8, 120:15, 121:10, 132:5, 141:15, 141:22, 142:16 pointed [1] - 83:11 pointing [1] - 51:2 points [1] - 109:17 police [30] - 3:21, 28:18, 30:3, 55:4, 74:1, 75:21, 75:22, 75:25, 78:3, 78:12, 80:22, 83:23, 84:17, 85:25, 90:20, 92:15, 94:17, 95:13, 96:4, 96:7, 102:22, 120:13, 130:3, 130:5, 130:7, 132:2, 132:4, 135:9, 136:22 Police [3] - 3:19, 30:2, 101:14</p>	<p>polo [1] - 36:12 portion [4] - 109:7, 109:8, 109:16, 109:18 position [2] - 32:16, 141:22 positioned [1] - 38:16 possessed [1] - 95:10 possible [4] - 118:15, 118:16, 126:2, 134:11 possibly [2] - 92:13, 139:7 Possibly [1] - 51:12 post [2] - 16:13, 35:15 Post [1] - 5:23 potential [1] - 2:25 potentially [1] - 111:22 Powhatan [20] - 5:1, 6:1, 6:15, 7:7, 8:17, 8:19, 31:5, 31:17, 32:5, 34:13, 72:16, 73:3, 74:11, 74:25, 75:1, 75:9, 89:21, 91:2, 95:20, 141:2 practice [2] - 22:17, 27:21 pre [1] - 27:1 pre-payable [1] - 27:1 Precision [2] - 70:10, 97:6 preemptive [1] - 93:18 preliminary [2] - 2:17, 88:18 prepare [4] - 66:2, 98:10, 98:12, 98:13 prepared [2] - 69:11, 101:1 prepay [1] - 25:18 present [3] - 66:15, 85:3, 142:18 presented [5] - 85:6, 100:20, 101:8, 141:24, 142:1 presumably [1] - 63:12 pretty [5] - 19:20, 49:24, 60:22, 71:1, 75:16 previous [4] - 52:16, 52:19, 53:1, 118:8 previously [8] - 3:6, 29:13, 41:11, 67:15, 70:11, 112:16, 128:9, 133:13</p>	<p>print [1] - 139:10 Probable [8] - 17:3, 45:4, 45:13, 46:15, 47:5, 47:12, 51:22, 52:10 probable [1] - 101:8 probation [1] - 88:4 problems [1] - 143:6 procedure [2] - 42:24, 62:25 proceed [1] - 2:19 proceeded [7] - 9:4, 72:1, 74:4, 74:11, 75:7, 78:2, 91:2 proceeding [1] - 7:15 proceedings [1] - 144:17 process [4] - 62:17, 62:18, 82:22, 144:2 program [3] - 114:4, 114:5, 114:7 promise [1] - 43:4 proper [1] - 57:25 property [1] - 112:2 provided [1] - 63:16 PSU2 [1] - 56:7 Public [1] - 2:11 pull [5] - 9:20, 71:9, 71:12, 132:14, 137:14 pulled [37] - 9:5, 12:19, 19:1, 25:9, 40:5, 41:7, 48:3, 76:8, 76:16, 76:19, 76:21, 76:22, 76:24, 77:25, 78:21, 78:25, 80:18, 80:20, 83:1, 83:10, 83:13, 83:16, 91:4, 91:21, 115:6, 115:18, 115:19, 115:21, 121:21, 123:12, 131:24, 132:1, 132:10, 137:7, 137:9, 137:15, 138:13 pulling [1] - 76:20 purposes [2] - 67:9, 89:4 pursued [1] - 19:2 put [30] - 13:20, 17:17, 17:20, 18:1, 18:22, 18:23, 22:24, 23:2, 28:21, 34:5, 40:12, 40:16, 40:18, 46:20, 46:22, 46:25, 52:25, 61:15, 61:19, 61:22, 61:23, 61:25, 82:6, 83:21, 94:15, 99:5, 99:7, 130:25, 140:21 putting [1] - 17:4</p>	<p>Q</p> <p>quarter [1] - 9:19 questioned [1] - 94:9 questioning [1] - 143:10 questions [21] - 14:12, 29:1, 42:17, 44:7, 66:9, 87:16, 87:22, 93:16, 105:1, 110:3, 112:4, 113:8, 125:4, 126:25, 127:19, 131:18, 131:20, 133:1, 136:7, 136:11, 140:7 quick [2] - 19:20, 136:11</p> <p>R</p> <p>radio [6] - 19:12, 48:10, 48:14, 50:22, 54:1, 56:1 radioed [3] - 19:17, 57:2, 57:8 rain [1] - 5:14 raise [6] - 3:3, 29:10, 67:13, 112:13, 128:6, 133:10 ran [6] - 7:14, 47:9, 47:16, 48:2, 77:25, 141:1 reached [2] - 39:3, 39:7 reaching [2] - 37:23, 37:24 read [4] - 17:24, 45:13, 105:13, 105:21 ready [1] - 2:19 realize [1] - 87:18 really [8] - 46:21, 84:9, 92:10, 93:19, 102:4, 107:2, 118:14, 118:17 rear [7] - 10:22, 35:16, 35:18, 40:19, 40:24, 76:12, 78:16 REC'D [2] - 145:22, 146:1 receipt [3] - 90:12, 97:20, 97:22 receive [6] - 36:24, 37:1, 114:23, 124:2, 124:15, 129:5 received [19] - 5:20, 6:12, 8:13, 17:9, 18:11, 24:22, 44:18, 50:7, 72:9, 73:18, 74:12, 75:12, 79:8,</p>	<p>100:23, 124:15, 134:25, 135:2, 135:5, 139:9 receiving [1] - 134:19 Reception [1] - 134:7 reception [13] - 102:11, 103:1, 103:8, 103:13, 103:22, 103:23, 103:24, 104:3, 104:5, 104:7, 104:12, 104:16, 110:11 receptionist's [1] - 86:1 recess [1] - 66:23 recognizable [1] - 39:23 recognize [20] - 5:18, 6:10, 8:10, 12:1, 31:12, 32:2, 33:13, 36:2, 72:6, 72:10, 105:14, 106:20, 106:22, 107:7, 107:14, 111:2, 116:6, 131:14, 138:10, 138:12 record [10] - 3:10, 12:5, 29:17, 34:12, 36:14, 67:19, 98:8, 112:20, 128:13, 133:17 records [5] - 98:19, 98:21, 137:4, 143:1 recover [3] - 120:10, 121:25, 126:16 recovered [3] - 42:18, 43:20, 59:19 RECROSS [1] - 127:5 red [31] - 7:8, 7:13, 7:21, 9:2, 9:15, 9:16, 9:20, 9:25, 12:2, 15:5, 16:24, 18:3, 19:6, 32:24, 34:3, 34:22, 36:3, 47:20, 69:25, 70:2, 74:25, 75:6, 75:7, 76:4, 91:3, 92:19, 95:13, 96:16, 117:14, 118:8, 130:17 redirect [2] - 29:4, 65:23 REDIRECT [4] - 65:25, 110:5, 125:5, 138:6 reference [1] - 30:23 referring [3] - 123:10, 134:13, 135:4 refers [1] - 58:8</p>
---	--	---	---	---

<p>reflection [1] - 47:15 reflects [1] - 80:14 refuse [1] - 62:4 refused [2] - 11:20, 13:1 refusing [2] - 20:13, 28:3 regarding [1] - 93:16 registered [1] - 37:5 registration [20] - 11:12, 11:18, 11:22, 12:11, 12:13, 20:2, 20:7, 20:14, 20:23, 22:9, 36:25, 37:2, 37:7, 48:23, 49:6, 49:19, 61:5, 77:1, 77:24, 78:2 Regular [1] - 92:8 regularly [1] - 118:2 Reisterstown [1] - 68:14 relation [1] - 13:16 relative [1] - 94:21 relevance [1] - 93:9 Relevance [1] - 88:9 remained [1] - 24:7 remember [57] - 13:23, 13:25, 14:18, 40:12, 42:4, 51:12, 53:4, 53:5, 56:3, 57:8, 63:12, 63:14, 68:16, 70:23, 71:4, 73:1, 75:25, 91:11, 95:18, 95:24, 98:3, 98:5, 104:15, 105:19, 106:3, 107:1, 107:2, 107:4, 107:11, 107:22, 107:23, 109:23, 111:23, 114:21, 115:1, 116:8, 118:12, 118:14, 119:9, 120:4, 121:20, 123:23, 124:9, 124:12, 125:23, 125:25, 126:10, 129:8, 131:15, 134:12, 134:13, 134:15, 134:16, 134:19, 137:23, 137:25 reminded [1] - 143:21 removed [5] - 13:12, 13:14, 15:6, 15:9, 40:2 repair [1] - 31:3 repeat [1] - 113:9 repeatedly [1] - 100:7 rephrase [1] - 113:9</p>	<p>report [6] - 56:20, 57:1, 57:4, 60:22, 77:11, 77:12 Report [2] - 46:6, 47:7 Reporter [2] - 1:25, 147:11 reporter [1] - 113:7 REPORTER'S [1] - 147:1 reports [5] - 44:15, 98:7, 98:10, 98:12, 141:25 represent [1] - 139:23 representation [5] - 6:20, 8:18, 32:12, 33:20, 143:10 represented [1] - 63:18 request [7] - 28:4, 56:15, 135:25, 136:2, 136:6, 139:15, 139:19 requesting [1] - 144:1 required [1] - 25:19 residential [1] - 74:21 resolve [1] - 142:14 respect [1] - 94:10 respond [4] - 64:18, 65:12, 93:16, 116:2 responded [4] - 53:11, 64:21, 64:23, 116:12 response [1] - 142:4 retrieved [1] - 14:4 return [1] - 112:2 review [3] - 17:23, 66:5, 142:11 revolver [1] - 99:23 ride [1] - 106:18 riding [1] - 16:18 right-hand [1] - 19:7 rights [1] - 85:16 Road [4] - 68:14, 70:11, 97:8 road [2] - 19:7, 75:23 ROBINSON [5] - 1:6, 67:14, 133:11, 145:10, 145:19 Robinson [68] - 2:4, 2:12, 10:21, 11:11, 12:7, 13:12, 14:18, 14:20, 15:6, 15:9, 23:9, 28:9, 28:15, 47:1, 61:9, 62:4, 63:18, 63:21, 64:13, 67:1, 67:3, 67:21, 68:1, 72:6, 79:6,</p>	<p>79:21, 88:1, 88:3, 89:13, 94:1, 94:9, 94:19, 95:4, 100:12, 105:13, 110:7, 113:21, 114:24, 115:17, 117:18, 117:24, 118:12, 118:21, 119:17, 121:9, 121:19, 122:10, 122:25, 124:15, 125:17, 126:2, 126:11, 128:21, 131:10, 131:24, 132:16, 132:22, 133:8, 133:19, 133:23, 133:25, 134:4, 136:11, 138:8, 140:12, 141:1, 143:21, 147:4 Robinson's [1] - 137:21 rode [2] - 106:15, 118:5 roll [4] - 22:4, 22:13, 22:21, 60:23 Roll [1] - 125:16 rolled [5] - 20:3, 60:24, 70:22, 71:8, 71:11 roof [1] - 131:1 room [3] - 85:25, 103:12, 103:18 roughly [5] - 9:11, 15:4, 96:10, 121:12, 123:19 Roughly [3] - 9:12, 89:23, 96:12 round [1] - 42:3 route [3] - 54:24, 55:2, 55:5 routine [1] - 82:5 RPR [1] - 1:25 Rule [1] - 88:13 Rules [1] - 88:13 run [21] - 9:15, 12:10, 12:13, 19:9, 19:10, 26:18, 36:22, 48:6, 49:6, 49:9, 49:22, 54:1, 54:2, 54:3, 54:6, 54:7, 54:9, 55:13, 55:14, 59:23 rung [1] - 136:18 running [7] - 22:6, 25:7, 30:22, 51:8, 64:5, 115:6, 115:20 runs [1] - 48:15 rush [2] - 92:9, 92:12</p>	<p>S</p> <p>safe [1] - 125:23 sat [3] - 13:15, 13:16, 40:20 save [1] - 137:6 saw [22] - 7:18, 9:15, 15:5, 15:10, 16:24, 33:5, 34:3, 34:9, 39:4, 39:10, 39:18, 61:2, 75:21, 77:13, 78:10, 85:21, 100:10, 101:7, 101:22, 130:23, 131:2, 131:13 scene [7] - 14:21, 62:15, 64:19, 64:23, 65:12, 65:14, 101:12 schedule [4] - 25:18, 25:20, 143:18, 144:12 school [4] - 69:2, 110:17, 114:2, 114:3 scope [2] - 94:12, 119:3 screen [3] - 16:2, 31:19, 75:24 sealed [1] - 143:5 search [24] - 15:10, 40:21, 41:3, 41:13, 41:15, 41:20, 81:16, 81:17, 81:21, 81:23, 82:2, 82:8, 83:3, 83:6, 84:18, 84:20, 94:8, 94:18, 116:1, 116:4, 116:13, 122:18, 126:8, 132:4 searched [3] - 41:14, 41:16, 99:11 searching [3] - 14:8, 42:7, 43:7 seat [11] - 11:7, 35:20, 37:25, 38:7, 38:8, 38:16, 39:1, 39:21, 41:7, 59:7, 132:10 seated [6] - 3:8, 29:15, 67:17, 112:18, 128:11, 133:15 second [4] - 64:8, 116:12, 125:1, 140:16 seconds [1] - 61:24 section [2] - 5:23, 25:6 Sector [1] - 5:23 secure [1] - 43:21 see [72] - 6:20, 7:21, 10:7, 10:25, 11:4, 11:7, 17:6, 21:3, 21:19, 21:25, 25:23, 26:7, 26:9, 28:12,</p>	<p>31:16, 32:24, 33:4, 34:25, 35:8, 35:19, 35:22, 35:25, 36:24, 37:1, 37:12, 37:22, 38:21, 38:23, 39:6, 39:11, 43:10, 58:19, 60:11, 60:14, 60:19, 60:20, 70:13, 74:1, 75:18, 75:20, 75:21, 78:7, 78:9, 78:14, 79:11, 84:9, 87:21, 94:21, 96:4, 99:25, 100:17, 101:21, 101:23, 101:25, 120:17, 126:23, 129:12, 129:16, 130:1, 130:10, 130:13, 131:24, 132:1, 132:4, 132:12, 132:14, 132:16, 136:25, 141:5, 141:17, 142:21, 143:13 seem [2] - 132:22, 132:24 seize [1] - 59:12 send [3] - 17:25, 139:12, 141:7 sending [3] - 56:10, 56:13, 141:7 sent [2] - 137:10, 139:5 September [2] - 107:21, 108:2 sequestered [1] - 2:23 service [4] - 52:25, 135:17, 137:2, 137:3 Service [1] - 143:21 set [7] - 2:5, 25:18, 31:20, 83:21, 83:22, 118:21, 141:20 settings [1] - 88:15 several [4] - 22:14, 56:1, 56:5, 126:3 shaky [1] - 12:17 share [2] - 24:11, 80:2 sheet [7] - 50:5, 50:10, 50:15, 52:4, 52:11, 64:9, 66:2 shift [3] - 4:2, 16:12, 30:10 shirt [2] - 12:4, 36:12 shooting [1] - 30:23 short [2] - 34:14, 122:12 shot [1] - 73:16 Shots [4] - 79:21, 107:19, 138:3, 138:17</p>
--	---	--	---	--

<p>shoulder [1] - 17:14</p> <p>shout [1] - 13:10</p> <p>show [16] - 5:16, 5:25, 6:9, 7:16, 8:9, 18:7, 31:25, 33:12, 50:4, 51:1, 72:2, 73:15, 74:8, 75:8, 104:24, 138:8</p> <p>showed [2] - 98:7, 99:15</p> <p>Showing [1] - 9:7</p> <p>showing [6] - 23:1, 31:10, 34:7, 43:23, 44:15, 79:5</p> <p>shown [1] - 80:5</p> <p>shows [3] - 24:25, 25:2, 54:8</p> <p>side [44] - 10:3, 10:4, 10:8, 10:13, 10:15, 10:16, 10:18, 10:19, 13:4, 13:9, 19:7, 19:23, 19:24, 21:15, 28:13, 34:22, 34:24, 35:2, 35:5, 36:20, 37:13, 37:15, 39:14, 40:3, 41:14, 41:16, 41:17, 49:15, 58:18, 59:3, 61:3, 71:13, 77:9, 81:2, 81:3, 83:7, 83:8, 84:1, 84:3, 84:4, 84:11</p> <p>sign [64] - 7:4, 7:14, 7:22, 8:2, 8:4, 8:6, 9:4, 9:16, 12:20, 12:25, 16:7, 16:10, 16:25, 18:4, 18:24, 18:25, 22:5, 22:6, 23:9, 23:19, 23:23, 24:4, 25:7, 26:11, 26:18, 27:18, 27:19, 27:22, 27:23, 27:24, 28:4, 33:6, 33:9, 33:16, 33:21, 39:16, 47:10, 47:16, 47:23, 61:9, 62:4, 73:4, 73:6, 73:8, 74:5, 78:1, 85:15, 86:6, 86:10, 86:15, 86:16, 91:2, 95:22, 95:25, 97:20, 101:1, 103:5, 104:20, 105:4, 105:6, 120:19, 120:21, 141:1</p> <p>Sign [1] - 105:5</p> <p>signature [1] - 22:24</p> <p>signed [3] - 60:15, 101:5, 120:20</p> <p>signs [1] - 7:2</p> <p>Simpkins [2] - 1:25, 147:10</p> <p>simple [5] - 135:24,</p>	<p>136:2, 136:5, 139:14, 139:19</p> <p>simply [2] - 22:24, 88:25</p> <p>sirens [3] - 9:4, 19:1, 76:7</p> <p>sister [3] - 109:6, 109:7, 109:8</p> <p>Sitting [1] - 36:6</p> <p>sitting [9] - 15:23, 42:9, 43:6, 43:9, 57:22, 110:18, 130:2, 131:14, 132:7</p> <p>six [3] - 10:2, 30:4, 52:6</p> <p>Six [1] - 16:11</p> <p>slide [2] - 22:15, 23:6</p> <p>slipped [2] - 61:6, 64:6</p> <p>slow [2] - 7:24, 33:7</p> <p>Slow [1] - 11:17</p> <p>slowly [2] - 68:1, 113:6</p> <p>small [1] - 46:21</p> <p>smaller [2] - 45:17, 45:19</p> <p>someone [12] - 25:9, 27:21, 103:17, 115:11, 115:25, 121:24, 122:9, 126:8, 127:14, 135:24, 136:1, 139:20</p> <p>sometime [2] - 141:17, 143:16</p> <p>sometimes [1] - 52:23</p> <p>Sometimes [1] - 106:19</p> <p>somewhere [4] - 16:2, 56:11, 65:15, 119:13</p> <p>son [3] - 134:3, 138:14, 139:23</p> <p>soon [3] - 9:3, 19:17, 49:24</p> <p>sorry [21] - 20:18, 24:2, 36:9, 38:13, 40:17, 71:10, 88:8, 96:21, 102:10, 105:23, 119:24, 120:7, 120:9, 121:14, 123:10, 124:18, 127:12, 129:14, 130:14, 137:18</p> <p>sort [1] - 141:3</p> <p>Sort [1] - 103:1</p> <p>sound [2] - 61:14, 122:17</p> <p>sounds [1] - 144:9</p> <p>speaker [1] - 82:6</p>	<p>speaking [2] - 107:1, 107:11</p> <p>special [1] - 107:25</p> <p>specific [2] - 30:21, 107:22</p> <p>specifically [1] - 134:6</p> <p>speed [3] - 74:16, 74:17, 74:18</p> <p>speeding [2] - 74:22, 92:8</p> <p>spell [8] - 3:10, 29:17, 65:1, 67:19, 112:20, 112:23, 128:13, 133:17</p> <p>Spell [1] - 112:22</p> <p>spoken [2] - 67:3, 116:18</p> <p>sportster [1] - 73:20</p> <p>spot [1] - 120:2</p> <p>Spring [1] - 54:15</p> <p>Springdale [3] - 69:16, 69:22, 129:20</p> <p>squeeze [1] - 60:17</p> <p>stamped [1] - 143:5</p> <p>stamps [1] - 143:12</p> <p>stand [2] - 25:20, 94:16</p> <p>Standard [1] - 98:22</p> <p>standard [2] - 42:24, 62:25</p> <p>standing [19] - 2:12, 11:8, 17:14, 21:14, 32:15, 32:17, 35:11, 35:19, 35:23, 37:13, 60:2, 104:12, 104:18, 130:4, 130:5, 130:19, 130:20, 132:16, 132:17</p> <p>stands [1] - 100:8</p> <p>stapled [1] - 44:19</p> <p>start [3] - 15:4, 68:18, 69:2</p> <p>started [2] - 71:15, 76:24</p> <p>state [1] - 63:1</p> <p>State [7] - 3:10, 29:17, 67:19, 112:20, 112:23, 128:13, 133:17</p> <p>State's [5] - 63:4, 63:7, 63:16, 63:17, 63:19</p> <p>Statement [8] - 17:3, 45:3, 45:13, 46:15, 47:4, 47:12, 51:22, 52:9</p> <p>statement [7] - 17:18, 45:20, 47:1, 63:24, 79:17, 79:18,</p>	<p>84:24</p> <p>statements [4] - 43:13, 63:19, 63:22, 63:23</p> <p>STATES [2] - 1:1, 1:4</p> <p>States [5] - 1:14, 2:3, 2:6, 147:3, 147:6</p> <p>stating [1] - 61:15</p> <p>Station [1] - 90:15</p> <p>station [14] - 49:5, 49:7, 57:24, 65:16, 65:18, 71:19, 86:1, 86:22, 90:1, 90:2, 90:6, 92:5, 100:24, 102:22</p> <p>stationary [1] - 55:3</p> <p>status [1] - 88:9</p> <p>stay [2] - 37:15, 69:6</p> <p>stays [1] - 21:16</p> <p>step [4] - 66:10, 112:9, 127:24, 140:14</p> <p>sticks [2] - 53:6, 63:11</p> <p>Still [1] - 80:22</p> <p>still [11] - 12:23, 13:1, 22:2, 22:3, 22:4, 59:10, 67:10, 75:23, 81:4, 86:22, 100:8</p> <p>stilling [1] - 21:14</p> <p>stood [1] - 23:18</p> <p>stop [60] - 7:2, 7:4, 7:14, 7:22, 8:1, 8:4, 8:6, 9:2, 9:3, 9:9, 9:16, 11:16, 12:20, 15:2, 16:25, 18:4, 18:24, 18:25, 19:3, 19:6, 22:6, 25:7, 26:11, 26:18, 33:6, 33:9, 33:16, 33:21, 47:10, 47:16, 47:22, 50:2, 51:5, 51:7, 52:13, 52:17, 52:19, 52:23, 53:1, 53:2, 55:3, 58:12, 58:15, 72:2, 73:4, 73:6, 73:8, 74:5, 78:1, 82:5, 91:2, 94:10, 95:22, 95:24, 100:21, 115:12, 141:1</p> <p>STOP [1] - 51:3</p> <p>stopped [28] - 5:6, 15:24, 19:7, 28:20, 34:10, 34:11, 34:14, 34:17, 49:4, 51:10, 59:18, 73:9, 73:12, 74:4, 75:6, 90:20, 91:1, 92:15, 95:12, 95:22, 96:6, 97:24, 123:7, 123:9, 135:9, 136:22, 139:1, 139:3</p> <p>stopping [4] - 17:1,</p>	<p>33:6, 34:4, 95:24</p> <p>stops [3] - 31:2, 51:9, 92:4</p> <p>story [1] - 67:11</p> <p>Streams [14] - 112:11, 112:25, 113:5, 113:10, 113:25, 114:20, 117:8, 117:12, 125:7, 127:6, 127:20, 129:1, 129:6, 129:11</p> <p>STREAMS [2] - 112:14, 145:13</p> <p>Street [7] - 15:24, 19:4, 31:6, 34:14, 48:4, 64:11, 76:10</p> <p>street [9] - 32:7, 33:18, 70:12, 71:19, 72:11, 90:4, 99:7, 122:5, 131:3</p> <p>stripes [2] - 36:12, 36:13</p> <p>studying [1] - 77:12</p> <p>subject [1] - 88:19</p> <p>subjected [1] - 94:13</p> <p>submissions [1] - 143:19</p> <p>submit [1] - 58:1</p> <p>submitted [2] - 17:23, 62:13</p> <p>subpoena [2] - 142:25, 143:4</p> <p>suffice [1] - 46:21</p> <p>sunny [1] - 32:21</p> <p>supervisor [1] - 121:4</p> <p>supposed [2] - 46:20, 46:22</p> <p>suspect [1] - 93:20</p> <p>suspected [1] - 40:25</p> <p>Sustained [2] - 119:4, 121:8</p> <p>sworn [6] - 3:6, 29:13, 67:15, 112:16, 128:9, 133:13</p> <p>system [10] - 12:12, 18:1, 19:10, 19:14, 21:5, 21:6, 48:20, 49:10, 49:12, 70:17</p>
				T
				<p>table [1] - 2:7</p> <p>tag [3] - 19:9, 19:10, 19:12</p> <p>tags [3] - 36:22, 48:6, 54:7</p> <p>targeting [1] - 4:19</p>

<p>Taurus [2] - 14:5, 41:7</p> <p>tech [2] - 114:10, 114:11</p> <p>telephone [4] - 81:4, 134:20, 137:8, 143:1</p> <p>Ten [2] - 144:3, 144:4</p> <p>ten [5] - 15:12, 120:4, 136:14, 144:6</p> <p>territory [1] - 93:21</p> <p>testified [14] - 3:6, 29:13, 48:22, 67:16, 77:17, 94:16, 95:18, 112:16, 122:9, 123:13, 126:12, 128:9, 133:13, 141:1</p> <p>testify [2] - 67:4, 67:8</p> <p>testifying [1] - 88:17</p> <p>testimony [8] - 16:24, 20:18, 23:20, 51:10, 91:23, 92:13, 100:23, 141:24</p> <p>TFC [1] - 51:3</p> <p>TFC-STOP [1] - 51:3</p> <p>THE [110] - 1:1, 1:2, 2:2, 2:9, 2:14, 2:20, 2:24, 3:2, 3:3, 3:8, 3:12, 3:13, 3:14, 11:17, 12:8, 15:14, 18:12, 18:15, 18:18, 28:24, 29:3, 29:6, 29:9, 29:10, 29:15, 29:19, 29:21, 36:15, 44:8, 44:12, 44:21, 65:23, 66:10, 66:12, 66:14, 66:18, 66:22, 66:24, 67:2, 67:12, 67:13, 67:17, 67:21, 67:23, 79:9, 87:19, 88:8, 89:2, 89:6, 93:15, 93:22, 94:14, 94:25, 95:2, 100:9, 105:21, 105:25, 110:4, 112:5, 112:8, 112:12, 112:13, 112:18, 112:22, 112:23, 112:25, 113:2, 117:9, 119:4, 119:8, 121:8, 121:16, 127:2, 127:18, 127:22, 127:23, 127:24, 128:2, 128:5, 128:6, 128:11, 128:15, 128:16, 131:19, 131:20, 133:2, 133:4, 133:5, 133:6, 133:9, 133:10, 133:15, 133:19,</p>	<p>133:20, 136:8, 138:5, 140:9, 140:10, 140:12, 140:13, 140:14, 141:11, 141:14, 142:7, 142:15, 142:24, 143:13, 143:18, 144:5, 144:14</p> <p>theirs [1] - 72:4</p> <p>thinking [2] - 76:17, 76:18</p> <p>third [2] - 124:24, 125:2</p> <p>threats [2] - 14:14, 43:2</p> <p>three [1] - 124:14</p> <p>Three [1] - 130:11</p> <p>throughout [4] - 37:16, 50:10, 86:20, 125:20</p> <p>ticket [45] - 12:18, 13:1, 18:9, 18:14, 18:20, 21:1, 21:9, 21:10, 21:13, 21:25, 22:5, 22:6, 22:7, 22:12, 22:15, 22:24, 23:1, 23:19, 24:5, 26:5, 26:8, 28:7, 39:16, 60:10, 60:12, 60:14, 60:17, 61:9, 62:5, 81:19, 82:6, 85:4, 85:7, 86:6, 86:10, 86:15, 86:16, 100:20, 100:23, 101:7, 103:5, 104:21, 105:5, 105:7, 105:9</p> <p>tickets [2] - 24:9, 24:10</p> <p>Timonium [1] - 97:8</p> <p>tinted [2] - 11:2, 36:17</p> <p>title [2] - 102:12</p> <p>Tobacco [1] - 2:8</p> <p>today [6] - 12:1, 36:2, 66:7, 77:13, 142:21, 144:15</p> <p>together [2] - 16:18, 113:17</p> <p>tone [2] - 139:17, 139:18</p> <p>took [16] - 70:10, 70:13, 71:23, 76:24, 83:21, 86:24, 87:6, 87:7, 90:17, 91:23, 92:13, 97:12, 98:25, 101:15, 130:22, 140:20</p> <p>top [7] - 23:3, 38:17, 39:7, 50:17, 51:14, 58:4, 131:1</p>	<p>totally [2] - 58:6, 94:6</p> <p>touch [1] - 6:5</p> <p>TOW [1] - 56:7</p> <p>tow [5] - 56:9, 56:10, 56:13, 56:15, 126:24</p> <p>toward [1] - 93:17</p> <p>towards [5] - 8:16, 38:6, 114:13, 114:15, 126:1</p> <p>towed [3] - 120:11, 127:7, 127:8</p> <p>trace [1] - 7:18</p> <p>traffic [26] - 4:15, 4:18, 4:22, 7:5, 8:7, 9:2, 9:9, 15:2, 16:18, 24:10, 25:7, 28:4, 30:22, 30:25, 31:2, 31:3, 51:5, 51:7, 51:8, 52:23, 53:2, 78:1, 82:5, 92:9, 92:12, 100:21</p> <p>Traffic [1] - 4:21</p> <p>trained [2] - 24:15, 46:1</p> <p>transcript [5] - 141:21, 142:3, 142:12, 144:7, 147:2</p> <p>transported [2] - 14:20, 57:23</p> <p>trash [1] - 84:25</p> <p>travel [2] - 34:9, 95:19</p> <p>traveling [1] - 34:12</p> <p>trees [1] - 76:2</p> <p>tremendous [1] - 141:23</p> <p>trial [5] - 25:20, 25:25, 27:4, 67:7, 67:8</p> <p>tried [8] - 19:10, 22:12, 22:13, 97:2, 102:13, 126:14, 135:8, 137:6</p> <p>trouble [1] - 61:4</p> <p>truck [3] - 56:10, 56:13, 56:15</p> <p>true [2] - 139:4, 147:6</p> <p>trust [1] - 97:11</p> <p>Truth [1] - 143:8</p> <p>try [13] - 19:9, 20:16, 48:6, 60:17, 61:8, 70:7, 82:13, 120:5, 120:8, 120:10, 121:25, 126:16, 126:23</p> <p>trying [8] - 20:4, 23:6, 39:16, 54:9, 55:13, 55:14, 60:14,</p>	<p>121:14</p> <p>Tuesday [1] - 143:16</p> <p>Tune [2] - 70:10, 97:6</p> <p>turn [11] - 11:19, 11:20, 12:23, 20:15, 25:11, 26:8, 28:2, 71:25, 75:7, 76:4, 91:3</p> <p>turned [3] - 34:13, 72:17</p> <p>turning [1] - 51:21</p> <p>Twenty [2] - 16:13, 16:14</p> <p>Twenty-five [1] - 16:14</p> <p>Twenty-one [1] - 16:13</p> <p>Twice [1] - 122:11</p> <p>twice [3] - 116:11, 122:12, 122:13</p> <p>two [27] - 3:22, 24:13, 25:17, 40:25, 44:15, 70:2, 76:2, 77:16, 80:12, 83:23, 84:17, 91:23, 92:14, 92:16, 94:17, 99:13, 99:18, 102:3, 104:1, 113:24, 125:9, 127:25, 129:25, 131:13, 142:20, 143:24, 144:6</p> <p>Two [4] - 69:18, 92:2, 125:10, 132:13</p> <p>two-door [1] - 70:2</p> <p>type [1] - 45:10</p> <p>typed [1] - 45:8</p>	<p>92:19, 109:17</p> <p>unfortunately [1] - 140:20</p> <p>uniform [3] - 4:10, 30:9, 30:17</p> <p>unit [5] - 16:5, 53:19, 53:20, 53:21, 54:18</p> <p>Unit [3] - 42:23, 57:25, 58:1</p> <p>UNITED [2] - 1:1, 1:4</p> <p>United [5] - 1:14, 2:3, 2:6, 147:3, 147:6</p> <p>University [2] - 114:8, 114:9</p> <p>Unless [1] - 2:16</p> <p>unless [1] - 87:19</p> <p>unobjected [1] - 141:8</p> <p>up [68] - 5:23, 7:6, 8:16, 9:5, 11:25, 14:17, 17:4, 17:5, 18:8, 19:4, 19:22, 21:16, 21:24, 21:25, 23:3, 31:20, 38:18, 48:3, 51:14, 55:6, 55:8, 57:25, 58:4, 58:18, 58:25, 59:3, 59:5, 60:4, 65:13, 68:19, 68:23, 69:9, 69:21, 71:5, 71:19, 71:22, 72:15, 73:16, 74:11, 74:25, 76:9, 77:2, 77:5, 77:11, 77:19, 78:18, 82:13, 82:22, 82:25, 83:10, 84:17, 94:17, 95:19, 96:18, 97:9, 103:25, 104:2, 104:20, 106:9, 111:15, 116:15, 121:24, 126:11, 126:20, 127:9, 136:19, 137:7, 141:1</p> <p>urgently [1] - 122:15</p> <p>uses [1] - 108:3</p>
U				
<p>U.S [1] - 143:25</p> <p>ultimate [1] - 88:10</p> <p>ultimately [3] - 20:22, 87:3, 96:6</p> <p>unclear [1] - 142:19</p> <p>uncooperative [3] - 20:12, 23:25, 24:3</p> <p>Uncooperative [1] - 24:4</p> <p>Under [1] - 88:13</p> <p>under [11] - 39:18, 44:3, 45:19, 93:7, 93:23, 94:1, 94:12, 131:9, 132:10, 138:3, 138:15</p> <p>underneath [6] - 38:23, 41:10, 45:16, 51:22, 51:23, 53:14</p> <p>Understood [2] -</p>				
V				
<p>valid [2] - 21:4, 49:1</p> <p>vantage [1] - 33:18</p> <p>various [1] - 2:16</p> <p>vehicle [40] - 7:18, 10:8, 10:20, 11:13, 11:23, 12:21, 12:22, 13:4, 13:14, 13:19, 18:3, 19:3, 19:6, 19:11, 19:22, 20:20, 21:24, 28:13, 28:16, 33:5, 33:7, 47:20, 48:1, 48:6, 48:17,</p>				

<p>49:25, 58:19, 62:7, 81:16, 81:17, 81:22, 81:23, 82:3, 82:8, 83:18, 83:19, 84:1, 84:3, 94:11</p> <p>vehicles [2] - 13:18, 83:23</p> <p>verify [2] - 48:23, 48:25</p> <p>version [2] - 23:3, 94:19</p> <p>versus [1] - 2:3</p> <p>vicinity [8] - 4:25, 5:25, 9:12, 16:2, 31:5, 32:25, 34:8, 91:25</p> <p>video [2] - 65:7, 140:20</p> <p>view [9] - 8:23, 32:12, 33:24, 37:20, 61:9, 76:12, 78:16, 84:1, 84:8</p> <p>violation [2] - 12:21, 25:7</p> <p>violations [4] - 4:20, 4:21, 4:22, 25:17</p> <p>Violent [2] - 29:20, 30:1</p> <p>violent [1] - 85:17</p> <p>visible [2] - 8:4, 33:9</p> <p>visibly [1] - 11:9</p> <p>voice [8] - 116:3, 116:4, 116:6, 139:14, 139:15, 139:16, 139:17, 139:23</p> <p>VS [1] - 1:5</p> <p>vs [1] - 147:3</p>	<p>weapon [7] - 14:16, 43:8, 43:10, 43:12, 43:22, 47:2, 132:20</p> <p>weapons [1] - 13:5</p> <p>wearing [3] - 36:8, 36:11, 91:7</p> <p>weather [2] - 32:19, 70:23</p> <p>week [3] - 141:17, 142:12, 143:16</p> <p>weeks [3] - 143:24, 144:6, 144:10</p> <p>welcome [9] - 117:9, 127:18, 127:23, 131:19, 133:5, 138:5, 140:9, 140:13, 142:10</p> <p>Wesley [1] - 147:3</p> <p>WESLEY [3] - 1:6, 67:14, 145:10</p> <p>West [1] - 54:15</p> <p>whatsoever [2] - 47:1, 97:17</p> <p>white [1] - 36:12</p> <p>whole [1] - 24:7</p> <p>wider [1] - 74:9</p> <p>window [32] - 11:13, 12:25, 13:1, 20:3, 20:4, 22:3, 22:4, 22:13, 22:16, 22:21, 23:7, 23:14, 23:18, 59:3, 60:5, 60:7, 60:18, 60:24, 61:2, 61:7, 61:16, 61:20, 61:22, 61:23, 61:25, 77:9, 77:17, 77:19, 77:23, 116:1</p> <p>windows [10] - 11:2, 36:17, 70:22, 71:5, 77:5, 96:18, 96:19, 96:21, 125:16</p> <p>witness [13] - 2:18, 3:5, 6:7, 7:20, 9:10, 29:2, 29:12, 31:21, 112:15, 128:8, 133:8, 133:12, 140:16</p> <p>WITNESS [19] - 3:12, 3:14, 18:15, 29:19, 66:12, 67:21, 112:22, 112:25, 117:9, 127:18, 127:23, 128:15, 131:19, 133:5, 133:19, 138:5, 140:9, 140:13, 145:9</p> <p>WITNESSES [1] - 145:2</p> <p>witnesses [9] - 2:16, 2:24, 2:25, 3:1, 66:13, 66:15, 127:25, 141:13, 142:1</p> <p>woke [1] - 69:9</p>	<p>wondering [1] - 76:18</p> <p>word [1] - 64:3</p> <p>words [4] - 81:13, 81:14, 116:8, 121:20</p> <p>works [1] - 86:2</p> <p>worth [1] - 90:11</p> <p>writ [1] - 144:2</p> <p>write [14] - 12:18, 12:21, 17:7, 21:1, 21:9, 21:10, 24:9, 24:10, 24:12, 28:7, 56:20, 58:2, 60:10, 64:4</p> <p>writing [2] - 17:11, 21:13</p> <p>writtend [1] - 143:22</p> <p>written [6] - 17:3, 27:19, 46:11, 57:1, 142:4, 143:18</p> <p>wrote [12] - 17:10, 17:13, 17:15, 18:20, 27:14, 45:6, 46:1, 46:9, 47:13, 57:25, 60:22, 77:11</p>
W		
<p>wagon [3] - 14:24, 87:4, 87:5</p> <p>waived [1] - 85:16</p> <p>wake [2] - 68:19, 106:9</p> <p>walk [1] - 106:10</p> <p>walked [9] - 43:17, 43:19, 49:16, 58:18, 58:25, 83:8, 83:25, 84:2, 84:16</p> <p>walking [1] - 43:21</p> <p>wants [2] - 88:23, 93:11</p> <p>warm [2] - 71:1, 125:14</p> <p>Warren [2] - 70:11, 97:8</p> <p>wast [1] - 123:21</p> <p>watch [2] - 57:9, 91:7</p> <p>watching [1] - 61:17</p>		
X		
XN [1] - 56:20		
Y		
<p>year [5] - 3:25, 51:12, 53:4, 63:10, 69:2</p> <p>years [6] - 3:22, 30:4, 113:19, 113:24, 125:9, 125:10</p> <p>yesterday [1] - 114:17</p> <p>York [1] - 70:11</p> <p>younger [1] - 69:18</p> <p>youngest [1] - 109:7</p> <p>yourself [3] - 21:17, 60:7, 62:24</p>		